

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 24 August 2011 at 6.00pm in the Reception Suite, Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors J C Minor (Chairman), N A Dugmore, I T W Fletcher (as substitute for Councillor R T Kiernan), K R Guy, A S Jhawar, J Loveridge, A A Meredith, S A W Reynolds, C R Turley

#### **PB-030 MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on 3 August 2011 be confirmed and signed by the Chairman

#### **PB-031 APOLOGIES FOR ABSENCE**

Councillor R T Kiernan

#### **PB-032 DECLARATIONS OF INTEREST**

Councillors J Loveridge and C R Turley declared a personal interest in planning application TWC/2011/0594.

#### **PB-033 DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PB-034 SITE VISITS**

**RESOLVED** – that a Site Visit takes place on Wednesday, 14 September 2011 at 4.00pm in respect of planning application TWC/2011/0546 - 57 Park Street, Madeley, Telford, Shropshire, TF7 5LD

#### **PB-035 PLANNING APPLICATIONS FOR DETERMINATION**

Members had received a schedule of planning applications to be determined by the Board and fully considered each report and the supplementary information tabled at the meeting regarding planning applications TWC/2011/0546, W2004/0980, TWC/2011/0488 and TWC/2011/0600.

- (a) TWC/2011/0002 Cartridge World & Plumbing Centre, Alexandra Road, Wellington, Telford, Shropshire, TF1 1RS

The application sought outline planning permission for residential development to include access, layout and scale, following demolition of existing buildings. Other matters were reserved to be addressed in a future application.

Following confirmation of the number of protected trees to be retained on site, and the number to be replaced, Members welcomed this proposal.

**RESOLVED** – that with respect to planning application TWC/2011/0002 the Head of Housing & Planning be authorised to grant planning permission subject to the applicants entering into a Section 106 Agreement relating to the provision of £44,278 towards education provision, £600 per dwelling towards recreation and

**provision of 4 affordable units of accommodation and further subject to the conditions as set out in the report.**

(b) TWC/2011/0470 44/46 High Street, Hadley, Telford, Shropshire, TF1 5NG

This was a proposal for the change of use of nos 44 and 46 High Street Hadley from retail (class A1) to hot food takeaway use (class A5). The owner of the shop had a potential tenant who was interested in opening a hot food takeaway selling Portuguese food. Hadley and Leegomery Parish Council had requested that this application be determined by Plans Board.

Mr C Potts, Clerk to Hadley & Leegomery Parish Council, spoke against the proposal in terms of additional traffic congestion, the potential adverse impact of late opening hours, an excess of takeaway businesses in the vicinity and the impact on nearby residential amenity. He suggested that if Members were minded to grant this application, consideration be given to revising the opening hours.

The potential tenant for the premises, Mr B Hall, spoke in favour of this application which he claimed would provide a unique niche outlet in the area and he addressed concerns regarding traffic congestion, parking, noise and litter by advising that the business would be likely to operate primarily through a delivery service. He noted that the premises had been vacant for some time and the proposed occupation would improve the appearance of the area, comments which were supported by the owner's representative, Mr Hussein.

Members considered that the proposals would enhance the vitality of the area although some concern was expressed about the potential for littering in the vicinity.

**RESOLVED – that with regard to planning application TWC/2011/0470 the Head of Housing & Planning be authorised to investigate the provision of litter bins at the site and approve this application subject to any suitable condition in that regard as well as the conditions set out in the update report.**

(c) TWC/2011/0488 Phases 3 & 4 Lawley Village, Lawley Drive, Lawley, Telford

This report was read and considered in conjunction with the report for planning application W2004/0980. This was an application for the erection of 434 dwellings with associated roads, footpaths, landscaping works including allocation for a MUGA. The application formed phases 3 & 4 of Lawley Sustainable Urban Extension, a major new housing area with a local centre that was at the time of the meeting in the course of construction. An update report was tabled addressing design revisions, drainage/flood risk assessment, parks and open space and highways.

Although some disappointment was expressed that it was no longer proposed to provide flexible mixed use buildings along Main Street and that the developers were proposing housing only, the increase in parking ratios for the proposed dwellings was welcomed along with a reduction in courtyard parking. Members received clarification from officers that the Public Art budget had not yet been fixed and also regarding the Authority's understanding of the developer's commitment to delivery of the proposals.

**RESOLVED – that with respect to planning application TWC/2011/0488, subject to Members accepting the report to vary the S106 agreement by approval in writing or formal deed of variation as appropriate for planning application W2004/0980 the Head of Housing & Planning be authorised to revise and include additional planning conditions and to grant approval of reserved matters subject to the**

**conditions detailed in the report and the additional conditions set out in the update report.**

- (d) TWC/2011/0511 Traffic Roundabout at entrance to Telford Forge Retail Park, Colliers Way, Telford, Shropshire, TF3 4PA

This was a Council application to display three advertisement boards advertising local businesses on the roundabout on Colliers Way, at the junction with the entrance to Telford Forge Retail Park.

**RESOLVED – that with respect to planning application TWC/2011/0511 advertisement consent be granted subject to the conditions as set out in the report.**

- (e) TWC/2011/0534 13 Haybridge Avenue, Hadley, Telford, Shropshire, TF1 5JP

This was a proposal for the erection of a detached single garage to be located to the rear of 13 Haybridge Avenue. Borough Councillor L A Murray had requested that this application be determined by Plans Board. This application had been deferred to enable Members to undertake a site visit.

Mr C Styles, the applicant's representative, spoke in favour of the proposal, explaining the background to the application and pointed out that the proposal was not unique as there were other, larger garages already on site which Members had seen during the site visit. Mr Styles advised that the Applicant was willing to scale-down the proposals further if this would make them acceptable.

Some Members expressed concern regarding the loss of car parking space which would result from this application but some Members considered that the application would be acceptable if the garage was shorter or set back by one metre to limit protrusion.

**RESOLVED – that with respect to planning application TWC/2011/0534 the Head of Housing & Planning be authorised to negotiate with the applicant with a view to a revised scheme for a garage being submitted which ensures that the garage does not protrude more than 1m into the communal parking area and to approve such an application subject to appropriate conditions.**

- (f) TWC/2011/0546 57 Park Street, Madeley, Telford, Shropshire, TF7 5LD

The application sought a minor material amendment to W2009/0385 for the erection of 2no. two bed apartments. Planning permission was granted in 2009 and the apartments had been built. However the development had not been constructed in accordance with the approved plans. This application had, therefore, been submitted to regularise the situation. Borough Councillor P Watling had requested that this application be determined by Plans Board. An update report was tabled addressing comments made by a local resident which had been circulated to Board Members in advance of the meeting. Members were reminded that the principle of development had previously been approved, and the scale of the development had not changed, however the main amendment involved the design of the roof.

Local residents Mr R Hardman, Mrs R Duncombe and Mrs C Poynter spoke against the application regarding the development as built compared to W2009/0385 approved plans, character and appearance in particular the gable roof being out of character with the majority of hipped units surrounding the area, scale and design, and the impact on

adjoining residential amenity with particular regard to loss of light, loss of privacy, overlook and parking. Mr Hardman urged the Board Members to undertake a site visit.

Mr M Cotton, the applicant's agent, spoke in favour of the application, including in his comments details of the applicant's attempts to preserve the character of the street scene and maintain a similar footprint to the design of W2009/0385 plans.

**RESOLVED – that determination of planning application TWC/2011/0546 be deferred to allow the Board Members to make a Site Visit.**

(g) TWC/2011/0594 Land off Beaconsfield, Brookside, Telford, Shropshire, TF3 1LW

This was a Council application relating to the provision of a children's play area and goal end and was intended to be used predominantly by local children and young people for play, football, basketball and socialising but it was considered that the proposed enhanced recreational venue could also provide opportunities for occasional small localised events to promote positive healthy activities.

Mrs G Bailey, Deputy Parish Clerk at Stirchley and Brookside Parish Council, spoke in favour of this application, particularly detailing the history of consultation undertaken by the Parish Council to ensure that the facilities represented local needs.

Members were very pleased to receive this proposal for the provision of much-needed play facilities in this area.

**RESOLVED – that with respect to planning application TWC/2011/0594 planning permission be granted subject to the conditions as set out in the report.**

(h) TWC/2011/0600 Playing Field - off Field View, Waters Upton, Shropshire, TF6 6NN

This was a Council application to provide a children's equipped play area on a small area of open land situated off the main road through Waters Upton, adjacent to Field View and opposite Quarry View.

Whilst Members welcomed this proposal, they were also mindful of the highway safety concerns raised in the update report tabled at the meeting.

**RESOLVED – that with regard to planning application TWC/2011/0600 the Head of Housing & Planning be authorised to further investigate improvements to pedestrian access to the site and approve this application subject to any necessary highway condition as well as the conditions set out in the update report.**

(i) TWC/2011/0613 Playing Field - off Wrekin View, Wrockwardine Village, Shropshire, TF6 5DL

This was a Council application for the provision of a children's equipped play area on the existing recreation area off Wrekin View in Wrockwardine village.

Members welcomed the provision of play facilities in this area although some Members raised concerns about health and hygiene as the area was also used for dog walking and it was suggested that suitable fencing or signage would address this; Planning

Officers stated this could be addressed through the condition verbally suggested at the meeting for further details of the equipment prior to commencement.

**RESOLVED** – that with respect to planning application TWC/2011/0613 planning permission be granted subject to the conditions as set out in the report in addition to a condition regarding details of the proposed equipment.

(j) W2004/0980 Land at, Lawley, Telford, Shropshire

This report was read and considered in conjunction with the report for planning application TWC/2011/0488. It sought agreement from the Board to the variation of an existing Section 106 Agreement for Lawley Sustainable Urban Extension. The proposal before the Board was for a reduction in the requirement for 25% affordable dwellings for phases 3 & 4 at Lawley to 15% comprising 10% shared ownership (or similar) and 5% social rented. In addition, the applicants also requested the deferment of some of the originally agreed payments for the new school, bus subsidy, traffic management and sports pitches. An update report was tabled as the applicants had requested some flexibility in the recommendations to be introduced to allow the required changes to the Section 106 obligations to be achieved by either a written approval (to the changes) or a formal deed of variation as appropriate.

Members expressed bitter disappointment at the proposed loss of affordable housing at this site but, noting that the reduction applied only to Phases 3 and 4 of the Lawley development and also that the proposals were based on a viability appraisal, Members regretfully considered that the proposals were acceptable in the current economic climate in order to support continued development at Lawley.

**RESOLVED** – that with respect to planning application w2004/0980 the Head of Housing & Planning be authorised to agree variations to the Section 106 Agreement by approval in writing and/or formal deed of variation as appropriate including:

1. To defer payments in accordance with the table attached to the report or in accordance with any minor variations to the table as agreed between the Head of Housing & Planning and the Chair of Plans Board
2. In relation to the affordable housing requirements for phases 3 & 4 only to permit a reduction from 25% affordable housing units to 15% affordable housing units comprising 10% shared ownership (or similar) units and 5 % social rented units.

The meeting ended at 7.36pm

Chairman: .....

Date: .....

**TELFORD & WREKIN COUNCIL**

**PLANS BOARD**

**14<sup>th</sup> September 2011**

Schedule 1 - Planning applications for determination by Board

<b>TWC/2011/0022 Sainsburys, Unit 8, Telford Forge Retail Park, Colliers Way, Old Park, Telford, , TF3 4AG</b> Variation of condition 13 of W95/0969 and condition 21 of W97/0108 (as amended by W2010/0029) to increase the non-food floorspace from 21,019 square metres to 27,799 square metres	<b>2</b>
<b>TWC/2011/0032 Queens Arms, Southall Road, Dawley, Telford, Shropshire, TF4 3LY</b> Conversion of the existing vacant public house to provide 4 no. 2 bed flats and 1 no. 1 bed flat (Amended plans received) ...	<b>12</b>
<b>TWC/2011/0052 The Queens Arms, Southall Road, Dawley, Telford TF4 3LY</b> Erection of 2No. three bed semi-detached houses and 1No. three bed detached house (Amended description and amended plans received) .....	<b>18</b>
<b>TWC/2011/0094 Sainsburys, Unit 8, Telford Forge Retail Park, Colliers Way, Old Park, Telford, Shropshire, TF3 4AG</b> Erection of store extension (Class A1) to side and front of store, elevational changes, alterations to car park layout including new deck, new landscaping, relocated recycling facilities and associated plant, installation of retaining walls and the relocation of the bus stop (amended plans and information submitted) .....	<b>23</b>
<b>TWC/2011/0376 Granville Lodge, Church Street, St Georges, Telford, Shropshire, TF2 9LX</b> Conversion of existing Coach House into 1no. dwelling ***** Amended plans received***** .....	<b>51</b>
<b>TWC/2011/0472 1-8 Turreff Bungalows, Wrockwardine, Shropshire, TF6 5DF</b> Demolition of 8 no. 1 bedroom bungalows and erection of 6 no. 2 bedroom bungalows with new access road and car parking .....	<b>60</b>
<b>TWC/2011/0473 1-8 Turreff Bungalows, Wrockwardine, Shropshire, TF6 5DF</b> Demolition of 8 no. 1 bedroom bungalows (Conservation Area Consent).....	<b>68</b>
<b>TWC/2011/0546 57 Park Street, Madeley, Telford, Shropshire, TF7 5LD</b> Material minor amendment to W2009/0385 for Erection of 2no. two bed apartments, which includes repositioning of building, alterations to roof, windows and addition of hardstanding (Amended plans received).....	<b>73</b>
<b>TWC/2011/0574 189 &amp; 191 Trench Road, Trench, Telford, Shropshire, TF2 7DU</b> Erection of a two storey rear extension.....	<b>79</b>

TWC/2011/0022 Sainsburys, Unit 8, Telford Forge Retail Park, Colliers Way, Old Park, Telford, Shropshire, TF3 4AG  
Variation of condition 13 of W95/0969 and condition 21 of W97/0108 (as amended by W2010/0029) to increase the non-food floorspace from 21,019 square metres to 27,799 square metres

**APPLICANT**

Sainsburys Supermarkets Ltd, C Wakelin

**RECEIVED**

12/01/2011

**PARISH**

Lawley and Overdale

**WARD**

Lawley and Overdale

DEFERRED FROM PLANS BOARD 22<sup>ND</sup> JUNE 2011

No amendments to scheme, see original report below

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: MAIN ISSUES: Retail Impact, Town Centre Regeneration

**PROPOSAL:**

Variation of condition 13 of W95/0969 and condition 21 of W97/0108 (as amended by W2010/0029) to increase the non-food floorspace from 21,019 square metres to 27,799 square metres

**SITE AND SURROUNDINGS:**

The site comprises the Forge Retail Park, which along with the neighbouring Bridge Retail park are typical out of town retail parks offering predominantly non-food comparison shopping. The retail park is accessed via Colliers Way which links Hall Park Way and Junction 5 of the M54. The site comprises 6.9 hectares

**THE DETAILS:**

The proposal is to increase retail floorspace at the Retail Park and is required to enable the proposal at the Sainsbury's store to take place (Application TWC/2011/0094). The variation affects only the non-food retail floorspace and in effect will increase this retail activity by 1,105 sq m – the food floorspace as proposed by Sainsbury's remains within the floorspace restriction (the additional food floorspace is 2,2052 sq m which totals 6,759 sq m Gross External Floor Area (GEA).

The application relates only to the non-food retail activity and therefore the applicants contend, correctly, that we should only consider this aspect and not seek to justify the additional floorspace for food retailing. However it is difficult to ignore the composite proposals completely as the applicants wish the local planning authority to consider overall qualitative improvements that they say will occur if planning permission is granted for the Sainsbury's extension under TWC/2011/0094.

**PLANNING HISTORY:**

W95/0969 Outline permission for demolition of existing retail store and redevelopment for food and non food development, leisure, fast food, car parks, alterations to petrol station and associated works – granted February 1997.

W97/0108 – Reserved matters approval - siting and design, external appearance and landscaping for new foodstore, non-food retail units and A3/leisure uses together with associated parking, servicing and pedestrian/cycle routes. – Approved June 1997.

W98/0435 – Modification of condition 21 of W97/0108 and W95/0969 to increase max floorspace area of non-food retail from 18,580sq m to 19,420sq m and an additional 2,575 sq m for ancillary storage/admin areas

W98/0878 – Modification of condition 21 of W97/0108 and condition 13 of W95/0969 to increase the max area of ancillary storage/admin areas relating to non-food retail units to 3,040 sq m

W99/0916 – Modification of condition 21 of W97/0108 and condition 13 of W95/0969 to allow a max gross retail floor space of 20,350 sq m and 4,675 sq m gross floor space for ancillary storage and admin areas

W2004/0399 – Amendment of condition 13 of W95/0969 and 21 of W97/0108 to increase admin and storage areas by 1,000 sq m (to 5,675 sq m gross)

W2010/0029 – Variation of outline condition no. 13 of W95/0969 and Condition 21 of W97/0108 to increase the maximum area of non-food retail to 21,019 sq.m. Approved June 2010.

Adjacent Applications of relevance

TWC/2011/0151- Unit 12 – Certificate of Lawful Development for the erection of a 199.5 sq.m. mezzanine floor - Granted Approval 2011.

W2010/003 – Unit 10 - Installation of 669sq m mezzanine floorspace for retail sales -Granted Approval May 10.

PLANNING POLICY CONTEXT:

National Planning Guidance:

PPS 1 – Planning Policy Statement 1: Delivering Sustainable Development (2005): underlines Government’s commitment to a planning system that creates sustainable development. Development which contributes to the creation of safe, sustainable, mixed use developments, use of previously developed land, building in sustainable locations and those well served by public transport is a key to this approach.

PPS 4 – Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009) and accompanying practice guide on need, impact and the sequential approach.

- Policy EC 10 contains a positive presumption in favour of sustainable economic growth. All applications to be assessed against five impact considerations relating to climate change resilience, accessibility, inclusivity and quality of design, economic and physical regeneration and local employment.
- Policy EC14 – sequential assessment necessary where developments exceed 200 sq m and not in an existing centre or in up-to-date Development Plan. Town Centre impacts must be assessed if development exceeds 2500 sq m.
- Policy EC15 – sequential test requirements in terms of availability, suitability and viability.
- Policy EC16 – sets out impacts applying to unplanned edge/out-of-centre developments (in addition to those required to be assessed under Policy EC10, including impact on existing committed and planned public/private investment in the town centre, vitality and viability and consumer choice, impacts on trade turnover, appropriateness of scale; and, locally defined impacts.
- Policy EC17 – consideration of impacts (positive and negative). Applications should be refused where there is non-compliance with sequential approach or clear evidence of significant impacts. Where impacts are not significantly adverse there is a direction to consider positive and negative impacts and other material considerations.
- Policy EC18 – parking standards (PPG13 should apply where no local standards)
- Policy EC19 – how conditions to be used to mitigate impacts where possible.

#### LDF Core Strategy Policies

CS3 Telford – focus for Borough’s spatial development

CS4 Telford Town Centre

#### Central Telford Area Action Plan DPD policies

CT2 Retail

CT9 Other Highway Network Improvements

CT10 Parking

OP5 Old Park East

#### CONSULTATION RESPONSES:

##### **Parish Council:**

Members of the Parish Council trust that officers will ensure that the capacity allowed is not exceeded

##### **Planning Policy Section:**

Recent planning permission was granted to vary condition no.13 of planning application W95/0969 and condition no.21 of planning application W97/0108 to enable an increase in non-food retail floorspace at the Forge Retail Park to 21,019 m<sup>2</sup>. The non-food floorspace has been increased over the years and this has most recently facilitated the provision of a mezzanine within Currys, Unit 10.

The proposal includes an application for the extension of the Sainsbury's store and a s73 to create a new planning permission for the park as a whole. To accommodate the proposal would require both planning applications to be granted.

The key issues are the creation of entirely new floor space on what was originally permitted for the Forge. Key policy concerns relate to the impact of additional retail development in the out of centre location, and are based on national policy (PPS4), the current development plan (including in particular, the Central Telford Area Action Plan), and the White Young Green (WYG) Retail Capacity Study 2009. In line with PPS4 guidance, judgements about the extent and significance of any impacts should be informed by the development plan (where this is up to date), and other published local evidence (such as the WYG retail study) will also be a relevant material consideration.

The White Young Green (WYG) Telford & Wrekin Retail & Leisure Study was updated in May 2009 with a Town Centre Capacity Update. The study identifies the Forge retail park as an out-of-centre location, in line with PPS4 and as it is outside the Town Centre Character Area boundary as defined in the Central Telford Area Action Plan. WYG considered the number of extant planning permissions relating to additional retail development at Telford Forge. The retail parks were deemed almost complete and any additional floor space provided would be minimal.

PPS4 sets out the considerations through the sequential and impact assessments required for a main town centre use not in a centre and not in accordance with an up to date development plan. The retail parks are an out of centre location in the context of PPS4. Whilst land remains available for retail development within and adjacent to the shopping area expansion of the retail parks would not accord with PPS4, and allowing further expansion would have a detrimental impact on an identified centre. The PPS4 relevant policies being EC10, EC14, 15, 16 & 17.

Policy CS4 of the Core Strategy identifies Central Telford for the major retail development serving the needs of the borough and the sub-region, and seeks to consolidate Central Telford and enhance it as the hub of the service centre hierarchy.

The newly adopted Central Telford Area Action Plan is very clear in terms of extensions at the Forge. The retail park is an 'out of centre' facility, and the vision for the Character Area of Old Park does not refer to the provision of additional retail development. Policy OP5 seeks to resist any further development stating that the Council will not support future expansion of the Forge Retail Park for additional retail or leisure uses. There is also a clear policy directive to accommodate future retail growth in the existing shopping area through Policy SA1.

## **Highways Section:**

The development can be accommodated on the local highway network subject to the physical works proposed in the Transport Assessment and a contribution to CTAAP, subject to the following Conditions (summary):

- a) Before development commences details of the junction improvements to The Forge Roundabout to be submitted and works to be constructed before occupation.
- b) Before development becomes operational the revised internal layout including new internal roads/pedestrian/cycle links and circulating carriageway, car parking (including the permanent decked area), bus stop/shelter and associated infrastructure and recycling centre shall be implemented.
- c) Prior to occupation, details of the Travel Plan for the development shall be approved by the Local Planning Authority and thereafter implemented.

### **Contaminated Land Officer (Pollution Control)**

Landfill gas condition recommended

#### THIRD PARTY REPRESENTATIONS:

An objection has been received on behalf of Telford Trustees (owners of the Telford Shopping Centre) by GL Hearn planning consultants on the following grounds:

- The application site is clearly out of centre
- CTAAP is the relevant planning policy
- CTAAP Policy OP5 does not propose further expansion of The Forge
- Recent evidence suggests that adequate capacity for retail development exists in the town centre
- PPS4 sets out the relevant tests – this application fails the sequential test in particular

A very detailed case is then made in support of the Trustees' objection. Includes arguing that the Trustees are committed to providing additional retail development in the town centre; that the Forge consent originally set a ceiling to retail development; they do not accept applicant's arguments that disaggregation cannot occur (establishing more than one unit to fulfil the operator's requirements for additional floorspace); other sequential sites exist closer to the town centre amounting to a potential 116,466 sq m gross retail floorspace and thus this proposal is contrary to PPS4; the proposals would impact on planned investment in the town centre and therefore contrary to PPS4; would draw trade away from the town centre; town centre impacts inadequately explained/justified.

#### SECTION 106 CONTRIBUTIONS:

In the event of this Plans Board supporting the application, there will be a requirement to enter into a section 106 Obligation with the applicants. As with all strategic applications affecting the local highway network, CTAAP requires developers to contribute to the provision of highway improvement schemes. The level of CTAAP contribution based on the scale of the

development has been calculated as £187,959.96. This has been agreed in principle by the Developer. An additional sum of £5,000 will be required for monitoring of the store travel plan. These will need to be secured through S106. A contribution for ongoing Monitoring of conditions and section 106 Obligation of £10,000 will be required.

#### PLANNING CONSIDERATIONS:

##### **Retail Impact and Planning Policy**

The retail park is an out of centre location. The applicant seeks to address the issue of an expansion of the existing retail use in this location within the terms of a retail assessment. Various documents, information and plans have been submitted in support of the application including a retail assessment, a sequential assessment including potential development sites giving an overall view of need, including available expenditure and catchment areas, appropriateness of scale, location of sites, impact on existing centres and accessibility relating to the proposal.

The main cornerstone of Planning Policy Statement 4 is that in order to deliver the Government's objective of promoting vital and viable town centres, development should be focussed in existing centres in order to strengthen and where appropriate, regenerate them. The applicants have placed some reliance on the proposed development satisfying National Planning Policy Statement 4 (PPS4) and this is discussed further below. However the Council has an up-to-date Development Plan Document, CTAAP, which post-dates PPS4. Policy CT2 of CTAAP establishes the retail capacity for the period to 2016 with 50,000 sq m (gross) coming forward within the existing shopping area part of the Primary Shopping Area (PSA) with approximately 15,000 sq m within part of the PSA at Southwater. Policy OP5 is specific. It states that the Council will not support the future expansion of the Forge and Bridge Retail Parks.

The starting point for consideration of this application must therefore be the latest Development Plan policy, which as mentioned above, post-dates PPS4 and has to be considered to be PPS4 compliant in all respects, having been "tested" so very recently. Indeed the Inspector in his report states that the retail park is "separated from the existing PSA at its nearest point... by about 300m of other, non-retail uses and a considerable distance in level." (paragraph 121). He concluded in response to representatives of the Forge Retail Park, that there is no need to seek further land to accommodate comparison retail expenditure growth, and the owners' representations were rejected (paragraph 122). The Forge and Bridge Retail Parks are now clearly defined as 'out-of-centre' and CTAAP is clear that 'retail development in out-of-centre locations will be resisted, as such growth would undermine the vitality and viability of Telford Town centre' and 'whilst land remains available for retail development within and adjacent to the Shopping Area expansion of these retail parks would also not accord with PPS4.' (CTAAP paragraphs 4.2.19 and 3.3.25). The Inspector's report recognised that Policy OP5 will not

support future expansion of the retail park, and “no amendment is proposed to this policy” (Inspector’s report paragraph 85).

PPS4 is relevant in so far as it represents Government’s policy approach in relation to the protection of town centres. CTAAP acknowledges that PPS4, in particular, the sequential approach to site selection should be used when determining out-of-centre applications. PPS4 sets out two key tests that such developments must meet in order for them to be considered acceptable.

They are:

- To demonstrate that there are no sequentially preferable sites either in the town centre or edge of centre or edge of centre locations.
- To demonstrate that proposals will not have any significant impact on the vitality or viability of the town centre.

In considering these two tests, PPS4 indicates that it is for the local planning authority to determine what constitutes ‘acceptable’, ‘adverse’, or ‘significant’ impacts.

PPS4 sets out the requirements for the undertaking of a sequential analysis in Policy EC15. First preference is that developments should be located on sites within the town centre where they are suitable and available. This is then followed by consideration of sites at edge-of-centre and only then, by sites that are out-of-centre. Applicants are required to provide clear evidence as to why sequentially preferable sites are not appropriate for the proposed development based on availability, suitability and viability tests. Part 6 of the Practice Guide expands further on how these tests should be applied. Developers are required to adopt a flexible approach in assessing alternative sites in terms of the scale of their development, the format of their scheme, car parking provision and the scope for disaggregation. Local Authorities should take into account genuine difficulties that can be demonstrated by the applicant in terms of operating the proposed business model by comparison with a sequentially preferable site and furthermore, a single retailer should not be expected to split their proposed development into separate sites if this was deemed to be unreasonable.

The applicants have largely ignored the fact that CTAAP is a fully adopted Development Plan Document and relegated it to the status of an ‘emerging policy’. They have not updated their retail assessment to reflect the Development Plan’s current status.

Sequential Analysis:

The applicants have undertaken a sequential analysis in accordance with Policy EC15 of PPS4 and considered the following sites, all of which would in theory be sequentially preferable:

- Telford Shopping Centre, specifically Red Oak Car Park: There are no suitable sites other than Red Oak Car Park suitable for this proposal. The WYG Study identifies that the Shopping Centre has longer-term potential but there are no firm proposals, despite the shopping centre’s ambitions as expressed in the masterplan ‘The Round’. The Council however has assessed that there is capacity for 50,000 sq m of comparison retail within the Character Area SA1 – The Existing

Shopping Centre (CTAAP). However, Members will be aware that outline planning permission exists for a new supermarket at the Red Oak car park for a development of between 7,030 sq m and 8,460 sq m. ASDA is likely to vacate to other premises within the town centre, giving a realistic potential for a development such as Sainsbury's proposal to be accommodated at this location. Your officers are not convinced that the Shopping Centre is neither suitable nor viable for the proposal to accommodate either the proposed additional floorspace or a new Sainsbury's store in its entirety.

- Telford Shopping Centre, specifically Ash Grey Car Park – your officers accept that this site is not available, suitable or viable for the proposal – it represents a valuable car park. However the Shopping Centre owners have carried out their own assessment and conclude that this site could accommodate up to 39,348 sq m (gross) retail floorspace although car parking would need to be resolved.
- Town Centre Bus Station – WYG identified that this location could accommodate up to 3,750 sq m (gross) retail floorspace. It is considered that this site could accommodate the extension element of the Sainsbury's application proposals.
- Undeveloped Land in the PSA – a landscaped area comprising 0.6 ha adjoining Lawn central (opposite Darby House). The applicants believe that this site would be discounted as forming a landscape buffer and it was noteworthy that it was excluded from the Red oak development proposal. Its availability furthermore is uncertain. This land has never been “tested” and cannot be discounted in such a random way. Your officers believe that there is some prospect for this land to be used in connection with the Red Oak car park site.
- HCA Offices, Hall Park Way and Matherson House – your officers accept the applicant's arguments that there is little prospect of these sites coming forward in the near future, irrespective of Government's rationalisation of office accommodation within the town centre. They do provide valuable town centre office accommodation and their loss to employment uses may prejudice other economic development policies.
- Lime Green, Blue Willow, Cherry Pink Car Parks – your officers accept that these sites represent valuable town centre car parking facilities and are unlikely to come forward in the short term. Their loss at this stage may affect the viability and vitality of the town centre.
- Severn Gorge PH – Your officers accept the arguments put forward that policies would not support retail activity at this location and that the site is too small.
- Odeon Cinema site: Although the applicants contend that as this site is in active use and therefore unavailable in the short term, CTAAP recognises the potential of the site to consolidate and enhance connectivity between the PSA and the Forge/Bridge Retail Parks. Officers also question whether genuine efforts have really been made to identify whether this site can realistically come forward within reasonable timescales.
- Southwater – the applicants have included the Civic Offices within their analysis of Southwater; however your officers accept that there is a degree of uncertainty concerning Southwater. This uncertainty could

provide further opportunities for retail activity – particularly as the Character Area TC1c Central Southwater now forms part of the PSA within CTAAP. Officers conclude that Southwater has not been properly assessed to reach a conclusion that the site is unavailable or unsuitable. In fact officers believe that the applicants' sequential analysis of Central Southwater is particularly flawed and could easily accommodate the Sainsbury's proposals in its entirety i.e. both existing and proposed floorspace.

The applicants have failed to provide a robust analysis of sequentially preferable sites as noted above. Indeed it has also omitted the area of Central Southwater that is currently occupied by two unattractive buildings and substantial areas of surface parking. Your officers conclude that the sequential assessment undertaken is inadequate in that all in-centre options have not been thoroughly assessed and does not comply with the sequential tests set out in PPS4.

The Impact Assessment:

Following the sequential test, PPS4 requires that the impact of the proposals is considered. PPS4 indicates that proposals should be refused where there is clear evidence that development would lead to significant adverse impacts. Where no significant adverse impacts are identified, planning applications should be assessed taking account of the positive and negative impacts of the proposal and other material planning considerations, and also the likely cumulative effect of recent developments.

Examining impacts, firstly your officers consider that the proposals are unlikely to impact on the growth of comparison goods expenditure in the Town Centre – the applicant's assertions that the comparison turnover of the proposed store can be accommodated several times over in the Town Centre is accepted.

However, PPS4 also requires the impact on existing, committed and planned investment in the centre to be considered (Policy EC16a). CTAAP has obviously been tested against PPS4 and there is a strong prospect that the development will prejudice the Council's ambitions for the regeneration of the Town Centre, which is very dependent on retail-led redevelopment schemes coming forward – in particular comparison goods retailing. The potential impact on these opportunities arising from further unrestrained out-of-centre competition would also be likely to affect 'spin-off' trade arising from 'linked-trips' shopping to other stores and traders in the town centre. The Area Action Plan has identified retail growth scenarios which are focussed entirely on the Town Centre for very good reasons. The Town Centre must remain the hub for comparison goods retailing for it to retain its status as a sub-regional shopping centre.

In addition, PPS4 Policy EC16b requires the impact of the proposal on town centre vitality, viability, including local consumer choice and the range and quality of the comparison and convenience retail offer to be assessed. The applicants acknowledge that the proposal will draw trade away from the Town

centre but because the town trades well, they conclude that the proposal would not have an impact on the viability and vitality of Telford TC. However there is growing evidence, some anecdotal, that the Shopping Centre is seeing more vacancies and short term lets that suggests that the Council's CTAAP policy preventing further development at the Forge and Bridge retail parks is sound. The additional 1,986 sq m of comparison floorspace is not insignificant and will perform much in the way of a standalone comparison unit with its own customer base. The same goes for the applicant's assessment of available capacity, resulting in the quoted additional requirement to vary the condition by a total of 1,105 sq m.

In summary therefore, it is considered that the proposals are in direct conflict with the Development Plan, that they have not been properly assessed against the sequential analysis requirements of PPS4 and that they would have an unacceptable detrimental impact on the viability and vitality of the town centre.

**RECOMMENDATION:** REFUSE PLANNING PERMISSION for the following reason:

- 1 The Local Planning Authority considers that there are sequentially preferable town centre/edge of centre locations which could accommodate the proposed development. Development in this out of centre location would be contrary to the Spatial Development Strategy for the Borough as set out in the Core Strategy and would seriously undermine the Council's efforts to ensure that the town centre remains at the hub of the service centre hierarchy and the Council's objective of regenerating Telford town centre. The proposal conflicts with Policies CS4 of the adopted Core Strategy, CT2 of the adopted Central Telford Area Action Plan and EC15 of Planning Policy Statement 4.
- 2 The proposal is contrary to Policy OP5 of the adopted Central Telford Area Action Plan and to Policy EC16.1 of Planning Policy Statement 4. In the absence of reasoned justification, the proposed development in the opinion of the Local Planning Authority would be likely to have an unacceptable detrimental impact on the vitality, attractiveness and viability of Telford Town Centre and would be likely to establish an undesirable precedent for the further development for retail purposes at out-of-centre locations which would undermine existing and potential investor confidence in Telford Town Centre..

TWC/2011/0032 Queens Arms, Southall Road, Dawley, Telford, Shropshire, TF4 3LY

Conversion of the existing vacant public house to provide 4 no. 2 bed flats and 1 no. 1 bed flat (Amended plans received)

**APPLICANT**

CalibreCare Ltd,

**RECEIVED**

31/08/2011

**PARISH**

Great Dawley

**WARD**

Dawley Magna

COUNCILLOR BOULD HAS REQUESTED THAT THIS APPLICATION AND THE ASSOCIATED APPLICATION TWC/2011/0052 ARE CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Character and appearance, Highways issues, Impact on adjoining and proposed residential amenity

THE PROPOSAL: The application seeks full planning permission for the conversion of the existing vacant Queens Arms Public House to provide 4no. 2 bedroom flats and 1 no. 1 bedroom flat.

There would be 3no. 2 bedroom units at ground floor, with 1no. 2 bedroom unit and 1no. 1 bedroom unit at first floor. The existing cellar will be accessed from Flat 2 providing additional storage space.

There will be 4 entrance points into the property, one on each elevation of the building, with the 3 ground floor flats having individual entrances and the 2 first floor flats sharing a communal entrance.

Parking provision will comprise 1 space per unit, with 4 of the spaces accessed off Rowan Avenue and 1 space off Hinkshay Road.

**SITE AND SURROUNDINGS:**

The application site comprises a former Public House which is vacant and boarded-up. The building is a traditional two-storey detached building which is painted and rendered with a tiled double gabled roof with valley, and chimneys. There is a two storey element which extends along Hinkshay Road and single storey elements fronting the former car parking area at the rear of the building, which have a rather ad hoc appearance. A hard-surfaced beer garden and detached rendered garage/store are located to the side of the building, bounded by a brickwork wall and adjacent to the boundary with Rowan Avenue.

The former Queens Arms Public House site has been subdivided, with adjacent tarmaced car parking area accessed off Hinkshay Road, and narrow grassed beer garden to the rear located outside the application site. This area is bounded by timber fencing and adjoins rear garden areas to a

bungalow, two-storey semi-detached properties and dormer bungalows in Rowan Avenue. The car park is partly enclosed by boundary walling.

The former Public House fronts a turning head at the end of Rowan Avenue, with the main highway, Southall Road beyond. The turning head has been used in the past for unauthorised vehicle parking. The building is located at the northern end of Southall Road with a roundabout to the west of the building with roads leading off it - Hinkshay Road and Bartlett Road to predominantly residential areas, and Finger Road to the north leading to Dawley District Centre, which is currently being redeveloped, and on to Telford Town Centre. On the opposite side of Hinkshay Road is a former service station that has been vacant for a number of years and has extant planning permission for residential development. There is a hair and beauty salon and another Public House, Three Crowns Inn on Hinkshay Road. Further along Hinkshay Road and to the south on Southall Road are two schools for children with special needs. However the area is principally an established residential area comprising housing of different eras and styles.

#### PLANNING HISTORY:

Associated application on former Public House car park: TWC/2011/0052  
Erection of 2No. three bed semi-detached houses and 1No. three bed detached house

#### PLANNING POLICY CONTEXT:

National guidance:  
PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPG13 Transport

National Planning Policy Framework (draft document)

#### Core Strategy:

CS1 Homes  
CS5 District and Local Centres  
CS10 Community Facility  
CS15 Urban Design

#### Wrekin Local Plan:

UD2 Design Criteria  
H6 Windfall Sites

#### CONSULTATION RESPONSES:

Great Dawley Parish Council: Initially objected to the application on grounds of inadequate parking provision and access arrangements. Following submission of amended plans, there were no objections to the conversion, but there were still concerns regarding parking provision.

Councillor Bould requested that the application should be considered by the Plans Board, as a couple of local residents raised concerns about the change of use and that it may become some form of probation hostel.

Councillor Duce advised that there were concerns regarding possible use as a bail hostel and parking/access on to Rowan Avenue. Furthermore, in relation to the associated application TWC/2011/0052, he considers the hedge between the beer garden and Rowan Ave properties should be retained.

Highways: Initially objected to the proposal as there would be inadequate parking provision within the site which would result in parking onstreet and within the turning head on the highway, and highway danger. Following amendments, there are no highways objections to the application or associated scheme subject to condition C19 (car parking) and standard highways informative I11. Furthermore, Section 106 contribution of £2000 is required to implement yellow lining if required to prevent on street parking within the turning head of Rowan Avenue. This money will be held for 5 years and the lines only implemented if there is a need as a result of highway safety concerns.

Geotechs: Support subject to Informatives I17 and I20

Drainage: no objection

Pollution Control (Environmental Health: no comment

Shropshire Fire Service: Advice regarding Access and Sprinkler systems.

There were 5 neighbour letters of objection and a petition containing 38 names at the initial consultation stage and 1 further letter of objection following reconsultation. The comments are summarised below:

- Rowan Avenue is narrow and emergency and delivery vehicles have difficulty accessing properties – proposal will exacerbate highway problems and reduce safety
- Removal of fencing and bollards and creation of new parking spaces on to Rowan Avenue
- Access should be off Hinkshay Road not Rowan Avenue
- Overdevelopment of site
- Adverse impact on quality of life
- Proximity of bin storage to properties in Rowan Avenue
- Location of amenity area would create potential noise and nuisance
- Proposed conversion believed to be to hostel, halfway house or drop-in centre for young offenders
- Boundary of property in Rowan Avenue
- Superseded and amended plans do not indicate bollards that are being removed
- Amended plans have not resolved previous concerns regarding impact on Rowan Avenue

PLANNING CONSIDERATIONS:

The application comprises the conversion of the former Public House to residential use, with associated parking and communal amenity space, landscaping, cycle racks and bin storage.

With regard to Policy CS10 of the Core Strategy, whilst the proposal constitutes the loss of a community facility, there are other such facilities in the local area and within Dawley District Centre. The site is in a highly accessible location and is within walking distance of a number of services and facilities. Therefore the conversion of this Public House will not be a significant loss to the community nor have a detrimental impact on the area. The principle of the conversion is therefore considered acceptable in this urban location and accords with key principles of sustainable development.

The building can be converted and subdivided to the 5 residential units without significant alteration. The proposal does include blocking up of existing doors and windows, replacement windows and creation of new door and window openings and rooflights. This includes a central door to the frontage of the former Public House, and repositioned doors to the side elevations to provide access to each of the units. The proposed alterations to the building are considered to be relatively modest and do not significantly affect the character and appearance of the property. The addition of a central door on the frontage enhances the building in the streetscene. In order to accommodate the communal amenity space, the application proposes demolition of the existing garage and other structures (shed/ smoking shelter) within the former beer garden. The removal of these structures and proposed new landscaping will improve the character and appearance of the site. Details of the landscaping scheme can be conditioned to ensure appropriate design. The proposal therefore complies with national and local planning policies in terms of the design and appearance of the development.

The design and layout of the proposed conversion and the additional openings will not lead to an adverse impact on adjoining residential amenities. There is a sufficient separation distance between the proposed first floor windows on the side elevation of the building and the front garden area of No.5 Rowan Avenue of at least 11 metres. There are no first floor windows that would overlook the new dwellings on the former PH car park. Therefore the proposal will not lead to overlooking or loss of privacy. The proposed communal space is located on the former hard surfaced beer garden area, therefore the use of the area will not significantly change, and in replacing the Public House beer garden with amenity space for the residential units in a predominantly residential area, the noise and disturbance to adjoining residential properties would be reduced.

The proposed car parking for the flats will be located on part of the former Public House beer garden to the side of the property. This will require the removal of boundary fencing and bollards and the opening up of the area. There would be a row of 4 parking spaces with access on to Rowan Avenue, with a single parking space to the rear of the building with access on to Hinkshay Road. Whilst there is only 1 parking space per unit, the property is located within walking distance of the District Centre and Southall

Road/Finger Road is on a main bus route. In this regard the Highways Engineer considers this level of parking provision is sufficient. Furthermore, whilst Rowan Avenue is a narrow residential street, it is considered that an additional 4 vehicles would be acceptable and would not lead to highway safety issues. Prior to submission of amended plans, highways have had input into parking provision and access arrangements etc. for both this application and the associated scheme for new dwellings on the adjacent PH car park. In order to ensure that car parking is limited to the designated parking spaces, the Highways Engineer requests that the Applicant enters into a Section 106 agreement so that double yellow lines are added along the highway to prevent onstreet parking and at the end of the turning head if there is a need as a result of highway safety concerns.

As the scheme is less than 10 units, including that on the adjacent site, no further contributions are required towards education or leisure facilities.

Officers note the comments raised by the Parish Council, Ward Councillors and local residents. It is noted that Rowan Avenue is a relatively narrow residential street; however officers consider that the proposal will not lead to highway safety issues, as sufficient offstreet parking provision will be provided for the new units and appropriate measures will be put in place to ensure the turning head is not obstructed. Vehicles should not currently park in the turning head and this is in fact a matter where the Police can take action. Officers consider the removal of the fencing and bollards to enable the additional parking provision is not going to adversely affect highways safety or residential amenities, as it is proposed that other measures will ensure vehicle movements are restricted. The position of the bin storage is adjacent to the front garden boundary of No.5 Rowan Avenue; however the communal amenity space and bin storage area is on the site of the former beer garden area; therefore the use is not significantly changed, and appropriate storage should address any potential neighbour concerns. It is not considered that the amenity area will create additional noise and nuisance compared to its former use as a beer garden area. Officers cannot comment on potential future occupants of the flats as this is not a planning matter. The Applicant is a company called Calibre Care Ltd which provides care facilities for care, residential and nursing homes etc. However the application forms state that the development will create 5 units of market housing; therefore it is considered that the end use would fall within use class C3 (dwelling houses). There are no permitted changes; therefore a further application would be required if a different end use is required. Furthermore, the layout of the development does not appear to be designed for a care home facility. Officers are considering whether the conversion of the building is acceptable in principle and the design, parking provision and amenity issues. Boundary disputes are a civil matter.

In conclusion, the principle of residential development is considered acceptable in this sustainable location. The conversion of the former Public House to create 5 flats can be accommodated without significant alteration to the building, with associated communal amenity space and parking provision. The proposal will not have a detrimental impact on the residential amenities of

adjoining or proposed dwellings or on highways safety. Accordingly the proposal complies with national and local planning policy.

**RECOMMENDATION:** to GRANT PLANNING PERMISSION subject to the Applicant entering into a Section 106 Agreement to provide a contribution of £2000 towards double yellow lines in the turning head on Rowan Avenue, and subject to the following conditions:

1. A04 Time limit
2. B11 Details of door and windows
3. B14 Landscaping design
4. C01 Finishing material to match
5. C19 Car parking
6. C38 Development in accordance with plans

**REASON FOR APPROVAL:**

The principle of development is considered acceptable in this sustainable location. The conversion of the former Public House to create 5 flats can be accommodated without significant alteration to the building, with associated communal amenity space and parking provision. The proposal will not have a detrimental impact on the residential amenities of adjoining or proposed dwellings or on highways safety.

TWC/2011/0052 The Queens Arms, Southall Road, Dawley, Telford TF4 3LY  
Erection of 2No. three bed semi-detached houses and 1No. three bed detached house (Amended description and amended plans received)

**APPLICANT**  
CalibreCare Ltd,

**RECEIVED**  
31/08/2011

**PARISH**  
Great Dawley

**WARD**  
Dawley Magna

THIS APPLICATION IS TO BE CONSIDERED IN CONJUNCTION WITH  
TWC/2011/0032

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Scale and design, Character and appearance, Highways issues, Impact on adjoining residential amenity

THE PROPOSAL: The application seeks full planning permission for the erection of 2No. three bed semi-detached houses and 1No. three bed detached house. Each of the properties would have an integral single garage and parking space, and amenity space to rear.

**SITE AND SURROUNDINGS:**

The application site comprises a tarmaced car parking area accessed off Hinkshay Road, and narrow grassed beer garden to the rear which were ancillary to the former Queens Arms Public House. This area is bounded by timber fencing and adjoins rear garden areas to a bungalow and two-storey semi-detached properties in Rowan Avenue. The car park is partly enclosed by a blockwork boundary wall. The Public House is vacant and boarded-up and the car parking area is unused.

To the northern end of the car park is the boundary wall and side gable of an attached garage at No.8 Hinkshay Road, a 1970s style brick and rendered detached property adjacent to a pair of semi-detached houses of the same design. The property has 2 first floor windows which face the site – a small obscure glazed one and larger window, which are located above the ridge height of the garage. The properties on Hinkshay Road have separate access points from the highway and private driveways.

On the opposite side of Hinkshay Road is a former service station that has been vacant for a number of years and has extant planning permission for residential development. There is a hair and beauty salon and another Public House, Three Crowns Inn on the opposite side of Hinkshay Road to the north of the site. Further along Hinkshay Road and to the south on Southall Road are two schools for children with special needs. However the area is principally an established residential area comprising housing of different eras and styles. Hinkshay Road leads to an established residential estate and to Telford Town Park. Hinkshay Road leads on to a roundabout with a main bus route on Southall Road and Finger Road beyond. Finger Road to the north

leads to Dawley District Centre, which is currently being redeveloped, and on to Telford Town Centre.

**PLANNING HISTORY:**

Associated application TWC/2011/0032 Conversion of vacant Public House to provide 4no. 2 bed flats and 1 no. 1 bed flat

**PLANNING POLICY CONTEXT:**

National guidance:

PPS1 Delivering Sustainable Development

PPS3 Planning and Housing

PPG13 Transport

National Planning Policy Framework (draft document)

Core Strategy:

CS1 Homes

CS5 District and Local Centres

CS10 Community Facility

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

H6 Windfall Sites

**CONSULTATION RESPONSES:**

Great Dawley Parish Council: no objection but suggests the hedge that bounds the properties at the back of the car park is retained as a screen and to benefit wildlife.

Highways: Initially objected to the scheme for 4no. three bed semi-detached houses as the development failed to make provision for parking of 2 vehicles per dwelling within the curtilage which would result in onstreet parking and highway danger. Following amendments, there are no highways objections to the application or associated scheme subject to condition C19 (car parking) and a condition stating any wall/hedge/fence or planting on the site frontage within 2m of the public highway shall be a maximum height of 800mm and maintained thereafter, along with standard highways informative I11. Furthermore, Section 106 contribution of £2000 is required to implement yellow lining if required to prevent on street parking on Hinkshay Road. This money will be held for 5 years and the lines only implemented if there is a need as a result of highway safety concerns.

Geotechs: Support subject to condition B30 (land contamination) and informative I17 (minerals area).

Shropshire Fire Service: Advice regarding Access and Sprinkler systems.

Three neighbour letters have been received. The comments are summarised below:

- Overlooking of properties in Rowan Avenue
- Impact on light and outlook
- Proximity to boundary fence and whether existing hedge to be retained
- Overdevelopment
- Small garden areas proposed
- Number of errors in application, which states no new accesses or change of use of non-residential floor space when there are such changes and new accesses being created
- Contamination of land – petrol from adjacent service station has leaked across site
- No objection to site being developed and removal of run down site, but no development to be attached to adjoining property

#### PLANNING CONSIDERATIONS:

The application comprises the redevelopment of the car parking area and small grassed beer garden with the creation of a pair of semi-detached properties and a detached dwelling, each with 3 bedrooms and associated parking and amenity space. This application is separate from the conversion of the Public House, but officers deem that they should be considered in conjunction.

Officers have had regard to Policy CS10 of the Core Strategy with regard to loss of the Public House as a community facility. It is considered that there are similar facilities within the area and therefore the loss of the Public House and its associated car parking and beer garden will not be of significant loss or detriment to the community. The site is located within a sustainable and accessible location close to Dawley District Centre and is in an established residential area; therefore the creation of 3 new dwellings is acceptable and accords with planning policy.

The original proposal comprised 2 pairs of dwellings (4 units); however this appeared to be overdevelopment of the site, and also the site boundary needed amending to accommodate additional parking provision for the adjacent conversion, which now has a single parking space proposed off Hinkshay Road with the other 4 off Rowan Avenue. The revised scheme comprises 3 slightly larger units of a similar size to adjoining established units on Hinkshay Road. The development also follows the same building line as the properties on Hinkshay Road and will be set back from the former Queens Arms PH building; thus not appearing overly prominent in the streetscene and respecting the character and appearance of the area.

The rear garden areas of the new properties would be approx. 7 metres in length to the shared boundary, with the hedge retained and additional landscaping added to maintain a suitable boundary treatment between the properties. Whilst a distance of 10 metres would be more appropriate to maintain mutual privacy, it is considered that this distance is the same as the adjacent properties on Hinkshay Road and is therefore acceptable in this instance. The existing bungalow, No.5 Rowan Avenue is located at an

oblique angle to the boundary therefore the new dwellings will not adversely affect light or outlook, or directly overlook the bungalow. The position and orientation of the dwellings will ensure there are no adverse impacts on adjoining residential amenities.

The scale and design of the development is in keeping with the adjoining two-storey properties in the area, which comprises a mix of gable roofs, single storey elements and garage extensions. The front elevation of the proposed dwellings is simple and well-proportioned and in keeping with the streetscene. The development accords with national and local planning policies in terms of design.

Parking provision will comprise of 2 spaces per unit (one garage space and one parking space each), with new drive accesses created through the part removal of the existing boundary wall. Furthermore, to ensure sufficient parking provision is retained, a condition can be imposed to control garages from being converted to habitable rooms. Each property will have rear amenity space with additional front garden/landscaping to soften the development; thus it will not be dominated by drive accesses and parking. This layout is characteristic of other development along Hinkshay Road. In this regard the Highways Engineer has no objection to the parking and access arrangements and the development will not have a detrimental impact on highway safety. In order to ensure that car parking is limited to the designated parking spaces, the Highways Engineer requests that the Applicant enters into a Section 106 agreement so that double yellow lines are added along the highway to prevent onstreet parking if there is a need as a result of highway safety concerns.

As the scheme is less than 10 units, including that on the adjacent site, no further contributions are required towards education or leisure facilities.

Geotechs have advised that the site could be affected by land contamination and a condition can be imposed in this regard. Furthermore a condition shall be imposed with regard to submission of drainage details. Accordingly the development complies with the criteria in Policy H6 of the Wrekin Local Plan.

With regard to other issues raised by local residents, the development is a sufficient distance from neighbours' boundaries and the hedge is to be retained. The scheme has been reduced to 3 units and can be more easily accommodated than the earlier scheme; therefore it is considered that this does not constitute overdevelopment. The errors on the application are not ideal; however officers have assessed the loss of non-residential floorspace and the additional access points in consideration of the application. A garden gate does appear to be attached to the garden wall of the adjoining property on Hinkshay Road; however all other development is located away from the boundary and therefore considered acceptable.

In conclusion, the principle of residential development is considered acceptable in this sustainable location. The layout of the site and the scale and design of the 3 dwellings with associated parking, amenity space and

landscaping is considered acceptable and in keeping with the context of existing surrounding residential development. The proposal will not have a detrimental impact on the residential amenities of adjoining properties nor highway safety. Accordingly the proposal complies with national and local planning policy.

**RECOMMENDATION:** to GRANT PLANNING PERMISSION subject to the Applicant entering into a Section 106 Agreement to provide a contribution of £2000 towards double yellow lines on Hinkshay Road, and subject to the following conditions:

1. A04 Time limit
2. B06 Samples of materials
3. B07 Sample panel
4. B11 Details of door and windows
5. B13 Details of enclosure
6. B14 Landscaping design
7. B30 Land contamination
8. B33 Foul and Surface Water
9. C19 Car parking
10. C38 Development in accordance with plans
11. Ccustom Highways – boundary treatments adjacent to highway limited to 800mm in height
12. D01 Removal of all permitted development rights
13. D03 Domestic garages: restriction on residential use urban area

**REASON FOR APPROVAL:**

The principle of residential development is considered acceptable in this sustainable location. The layout of the site and the scale and design of the 3 dwellings with associated parking, amenity space and landscaping is considered acceptable and in keeping with the context of existing surrounding residential development. The proposal will not have a detrimental impact on the residential amenities of adjoining properties nor highway safety. Accordingly the proposal complies with national and local planning policy.

TWC/2011/0094 Sainsburys, Unit 8, Telford Forge Retail Park, Colliers Way, Old Park, Telford, Shropshire, TF3 4AG

Erection of store extension (Class A1) to side and front of store, elevational changes, alterations to car park layout including new deck, new landscaping, relocated recycling facilities and associated plant, installation of retaining walls and the relocation of the bus stop (amended plans and information submitted)

**APPLICANT**

Sainsburys Supermarket Ltd, C Wakelin

**RECEIVED**

14/02/2011

**PARISH**

Lawley and Overdale

**WARD**

Lawley and Overdale

THIS APPLICATION WAS DEFERRED AT THE 22 JUNE MEETING OF PLANS BOARD WITH A REQUIREMENT THAT THE APPLICANT PROVIDES FURTHER SEQUENTIAL ASSESSMENT

Members will recall that this application was deferred at Plans Board in June following much discussion and debate. As an out of centre retail park, the recently adopted Central Telford Area Action Plan (CTAAP) constitutes a new and significant policy objection to further out-of-centre retail developments. Both The Forge and Bridge Retail Parks are specifically referred to in Policy OP5 which is categoric in that the Council will not support future expansion of these areas on the basis that the primary focus for retail activity should be the town centre. CTAAP identifies broad locations for retail growth in the town centre and in particular, provides for an expanded Primary Shopping Area (PSA). Having identified the need for 65,000 sq m of comparison (non-food) shopping, CTAAP considers that there would be no further requirement for additional retail floorspace until at least 2021 and this should be focussed in the town centre.

At the same meeting of Plans Board, Members were also acquainted with the provisions of Government's policy Planning Policy Statement 4 (PPS4), which was also very recently introduced in December 2009. This is a key policy document that applies to all proposals for economic development. Two key impact tests are identified. First is the twin impact tests comprising the "general" impacts applicable to all economic developments and, more specifically, "specific" town centre impacts that should be considered for developments that clearly fall outside the Development Plan (as in this case). Second, is the longstanding "sequential" test where local planning authorities (LPAs) need to be satisfied that there are no sequentially preferable sites closer to the town centre that are capable of accommodating the development proposed within a reasonable time period.

Your officers concluded that irrespective of the very clear policy objection to development within CTAAP, Sainsbury's extension proposal would lead to significant adverse impacts on the town centre (Policies EC10.2 and EC 16) whilst the proposal had failed to demonstrate that there are no sequentially preferable sites that could accommodate this development. Members asked

that the applicants provide further evidence in terms of sequentially preferable sites and whether these sites are available, suitable and viable for the Sainsbury's development.

Four reasons were recommended for refusal. The first two reasons related to retail policy matters, in particular, that the development failed to meet the two principal tests required by PPS4 (sequential assessment and town centre impacts) and, in turn, to CTAAP policies. The third reason related to Green network issues and the loss of designated green space. The fourth reason related to the visual and residential impacts arising from an overly harsh and incongruous car park deck design that required the removal of trees within close proximity to existing residential properties at Old Park.

The original report is attached below. The remainder of this report provides a summary of correspondence and consultee responses received since the June meeting. It also includes the additional information received from the applicants together with officer assessment. Discussions did take place at the June meeting as to whether consultants should be engaged to review the proposals. However given the status of the Development Plan and Government policy together with the recent evidence that informed CTAAP, such work was considered unnecessary.

#### APPLICANT'S FURTHER SUBMISSIONS:

In responding to the original report, consultee responses and Member debate, the applicant has subdivided their response into section headings as follows:

- Car Park design
- Impact on green spaces
- Landscaping
- Sustainability
- Retail policy – the sequential test
- Retail policy – impact assessment

#### Car Park design:

Sainsbury's do not believe that the design is overly harsh and incongruous. They argue that such structures are commonplace; the deck as proposed would be contiguous with the terrace of retail units and will not be visible until you are well into the retail park and will then be viewed against larger structures. The fact that it may change the outlook from residential properties is not a planning consideration. To respond positively, Sainsbury's now propose a "living wall" (landscaping) to three sides of the structure and the deck will be closed 30 minutes after the store closes and lighting kept to meet health & safety standards. The cladding of the structure with ivy planted within an irrigated box planter system is proposed.

#### Impact on green spaces:

The realignment of the access road does remove narrow strip of landscaping but none is publicly accessible and does not meet the important functions expressed in policy of recreation, ecology, amenity, landscape and culture or compromise connectivity to other open spaces. Sainsbury's maintain that

compensatory landscaping is sufficient and note Arboricultural Officer raises no concerns.

**Landscaping:**

An additional 21 trees were proposed in earlier revisions and Sainsbury's has included further softening that will help long distance views.

**Sustainability:**

The development will achieve BREEAM 'Very Good' rating and will provide well in excess of CTAAP requirements which requires 10% of energy needs from renewable sources. The energy demands overall will be 3.5% lower than existing store. Half of the extension's energy demands will be generated from the installation of a biomass boiler, saving 1,813,848 kWh p.a.

**Retail Policy:**

**The Sequential Test:**

Following the June debate at Plans Board, Sainsbury's have reiterated previous comments that those sites that your officers believed required further assessment, namely Red Oak, Odeon Cinema and Central Southwater are not available, suitable or viable alternatives to the application site and proposals.

In relation to Red Oak, Sainsbury's maintain that the recently consented development for a supermarket would be too small for the proposal that Sainsbury's propose and require to meet customer needs. In addition as the ASDA issue will not be resolved until at least 2014,

In relation to the Odeon Cinema site, Sainsbury's maintain that this is the only multiplex cinema facility in Telford and is in active use. Moreover, Sainsbury's impact assessment demonstrates that by 2014, the extended store at The Forge will not have an adverse significant impact while the Council's own Retail and Leisure Study confirms that the site will be unlikely to come forward until 2021-2026. In any event it is maintained that this site is also too small.

In relation to Central Southwater, Sainsbury's suggest that they have considered the area of the PSA comprising the two large retail units, the ice rink, the bingo hall and other public premises. Sainsbury's consider this area's future to be uncertain, including the judicial proceedings against the Civic proposal and the Council's decision to not build a replacement civic offices with the consequent reduction in confidence. The applicants therefore consider this area to be less sequentially preferable than the Forge site as it would not be available in the timescales required.

**FURTHER CONSULTATION RESPONSES:**

Arboricultural Officer: Too many Pyrus 'Chanticleer' species- better mix, watering and management regime to be agreed prior to approval, tree protection within rededge to vehicles and other potential damage, prominent trees to be specified at larger size, avoid use of Salix caprea- replace with

other native (high carbon sequestor. Group planting to include 'deeproot' type growing facility below ground- collective 'grow pit'.

Members will recall that our tree officers suggested that additional screening should take place to the south of the existing store to help reduce the impact of the complex from the M54. A small group of trees is now proposed but this is subject to the site owner's agreement. The proposed planting is not considered sufficient.

Planning Policy Unit: In terms of the application, the non-food floorspace at Forge has been increased numerous times over the years and the key issue is the creation of entirely new floor space on what was originally permitted. After looking through the "Supporting statement dated 21st July" we have a number of observations. The retail parks are an out of centre location in the context of PPS4. Whilst land remains available for retail development within and adjacent to the shopping area, expansion of the retail parks would not accord with PPS4, and allowing further expansion would have a detrimental impact on an identified centre. CTAAP is very clear in terms of extensions at the Forge. The retail park is an 'out of centre' facility, and the vision for the Character Area of Old Park does not allow for the provision of additional retail development. Policy OP5 seeks to resist any further development stating that the Council will not support future expansion of the Forge Retail Park for additional retail or leisure uses. There is also a clear policy directive to accommodate future retail growth in the existing shopping area through Policy SA1. Essentially, CTAAP policy is clear, the Forge Retail Park is an "out of centre" facility, and analysis of the Old Park Character Area is clear, and with regard to the role and function of the retail park. We question any argument that this should be considered an 'exceptional circumstance'. We also question the argument they put forward with regard to the sequential test for instance in which they suggest supermarkets require regular floor plates and dismiss the Red Oak Car Park, this shows little attempt of flexibility (indeed there is an ASDA scheme in Halesowen which proves a good example of retail flexibility on a constrained site). They also dismiss the Southwater sites due to what they cite as future uncertainty over the area, which is not best practice interpretation of PPS4 policy. The proposal would be contrary to the Council's spatial strategy for the town centre and clearly any further growth here would add to the attractiveness of the retail park as a destination and policy OP5 clearly seeks to resist these locations becoming more attractive. To support the proposals would be contrary to national policy and represent a departure to the development plan without compelling grounds to do so. Policy OP5 in CTAAP is a strong and up to date policy that has been tested and found sound at examination following a specific objection from the owners of the park and should be given full weight.

### FURTHER 3<sup>rd</sup> PARTY REPRESENTATIONS

Mr Jason Tsai, 2 The Coppice, Old Park (nearest neighbour):

1. Proposals conflict with key, up to date Development Plan and Central Government advice. The newly adopted CTAAP is very clear about extensions at The Forge, an out of centre facility. No reasoned

justification for departure – instead, this is opportunism, convenience, expediency and disregard for impacts to TWC’s carefully well planned development. Council must give full weight to the Policy.

2. Adverse impacts on Residential Amenity. Plainly demonstrated that the proposal cannot be accommodated without detriment to nearby residents. Proposal will remove existing landscaped buffer between retail zone and residential areas. By applicant’s own admission the boundary planting acts as a visibility and noise barrier. Clear over-development of the site. Proposed decked car park immediately alongside residential boundary will lead to stark overbearance of the residential cartilage and loss of amenity including noise from slamming of doors and lighting.

Peacock & Smith on behalf of W M Morrison Supermarket plc

1. Site Location and Planning Policy: Contrary to CTAAP Policy OP5 and PPS4. This is an out-of-centre location and proposal likely to impact on vitality and viability of Telford Town Centre. We would agree with officer’s original report to Plans Board regarding the sequential analysis. We do not consider the need or requirement is locational specific – the Council should view the need expressed by Sainsbury’s as a need for additional floorspace within the catchment area and not a site specific need.
2. Impact - This proposal will result in 61% increase in floorspace resulting in gross floorspace of 9,600 sq m. The result would be the largest supermarket in Telford Borough. It would have a clear detrimental impact on the Council’s aspirations for the regeneration of the town centre.

GL Hearn on behalf of Telford Trustees (owners of Telford Shopping Centre)

1. CTAAP is the Development Plan – s38 of Planning Act requires applications to be determined in accordance with the Plan. Would be wholly irrational for the Council to grant permission for this type of development at this location and would send out a very public message that it is not going to stand by CTAAP policies.
2. Retail Policies: Forge is clearly out-of-centre – the Inspector in the CTAAP Report states that “future expansion of the Forge or Telford Bridge retail parks will not be supported...”
3. Sequential Test: Red Oak Car Park can be redeveloped to accommodate the existing Sainsbury’s supermarket and proposal. Brown Elm car Park has the capacity to accommodate the Sainsbury’s store and this proposal. There are at least two sites within the Trustees ownership that are available, suitable and viable for this proposal.
4. Impact: Concerned about the impact on their planned investment in Telford town centre.
5. Newspaper articles have been submitted to demonstrate that confidence in the existing Telford Shopping Centre is fragile with national retailers vacating their premises.

PLANNING CONSIDERATIONS:

Following the deferral of this application in June, the applicants were asked to provide additional justification for the development in terms of sequential assessment. They also referred to the alleged late concerns expressed by planning officers in relation to the design of the car park deck and the lack of landscaping. A further retail analysis has now been lodged. In addition, the applicants have submitted further landscaping proposals together with planting of the proposed car park deck. Each of the four grounds for refusal is reconsidered in turn below in the light of the applicants' further submissions and consultee/third party representations.

#### Reason Number 1: Sequential Assessment:

The Forge Retail Park is now clearly defined as out-of-centre in the CTAAP and CTAAP is clear that "retail development in out-of-centre locations will be resisted as such growth would undermine the vitality and viability of Telford Town Centre". It is similarly categoric in that while recognising that "land remains available for retail development within and adjacent to the Shopping Area, expansion of these retail parks would also not accord with PPS4". The Inspector's report recognises that Policy OP5 of CTAAP will not support future expansion of the retail park, and "no amendment is proposed to this policy" (Inspector's Report, paragraph 85). Members should note that representations were made by the owners of the retail park on the basis that further expansion at the two retail parks at the Forge and Telford Bridge retail parks. However these representations were rejected by the Inspector who observed that the retail park is "separated from the existing PSA at its nearest point...by about 300m of other, non-retail uses and a considerable difference in level." He concluded that there is no need to seek further land to accommodate comparison retail development at these out-of-centre locations.

It is your officer's view that Sainsbury's have provided insufficient evidence to demonstrate that there are no alternative locations that are sequentially preferable in terms of availability, suitability and viability.

Turning firstly to Central Southwater, it is clear that the applicants have misinterpreted the area within Central Southwater that the Council suggested could be suitable for retail development. The area that should have been considered relates to the Brown Elm Car Park and adjoining areas within the ownership of Telford Trustees. Instead however, they have reviewed the area within Southwater Square. Your officers agree with the Trustees that Brown Elm area has the capacity to accommodate the Sainsbury's existing store, as well as their proposed addition. The Trustees have moreover made it known publicly that they are actively pursuing further retail expansion at this location. For the purposes of this proposal therefore, in terms of a PPS4 assessment, the Brown Elm area of Central Southwater is available, suitable and viable and should have been carefully explored before an out-of-centre location was considered.

Turning secondly to the Red Oak car park area within the PSA, Members will know that there is planning permission for a new foodstore, albeit a smaller

store of 4,076 sq m. The likely proposed net floorspace for the extended Sainsbury's store is circa 5,675 sq m. Sainsbury's suggest that this site would be too small. However, they have ignored the fact that the site could be developed in a different way and that further land could be made available to accommodate Sainsbury's proposals. This analysis is supported by representations submitted on behalf of the Telford Trustees. Accordingly, the applicants' assessment is seriously deficient and the Council cannot accept that this site is not suitable, available or viable as a sequentially preferable location for Sainsbury's proposed floorspace. The same is also true of Ash Grey car park, although this site would require careful consideration as to the arrangements for compensatory parking should any new store take place at this location.

#### Reason Number 2: Retail Impact:

Your officers agree with Sainsbury's that the application proposal (for increased comparison goods retailing) would be unlikely to adversely impact on the growth anticipated in Telford Town Centre, given the amount of additional floorspace that is likely to be generated within the PSA identified in CTAAP. However the Inspector accepted the evidence put forward in CTAAP that there would be no requirement for additional floorspace outside of the Town Centre PSA until beyond 2023. The credibility of CTAAP is now without question and the evidence supporting CTAAP is equally convincing and credible. As CTAAP is PPS4 compliant, the policies preventing further out-of-centre retailing that seek to protect the vitality, viability and viability of the Town Centre should prevail.

It is clear that there is both public and private sector support for further investment in the Town Centre and a number of important and vital projects are emerging that will secure the future of Telford Town Centre as the principal shopping and leisure destination for the Borough and its environs. There is evidence to suggest that the current economic climate has increased the fragility of the Town Centre as a sub-regional shopping centre and a number of national operators are leaving the centre. Nevertheless, confidence remains high and CTAAP is playing an important role in securing this confidence and future prospects are generally very good. Should this application be approved however, the Council would establish a very difficult precedent that would not only serve to undermine recently adopted development plan policies, but would undermine existing and potential investor confidence in Telford Town Centre. Sainsbury's trade draw when taken in isolation is not huge; however, when considered against factors such as impact on developer confidence together with the undermining of development plan policies the proposal is likely to have unacceptable impacts.

#### Reason Number 3: Green Network issues:

The applicants wish to point out that an additional 21 trees were proposed within the car park as a previous amendment. A further revision is now proposed showing additional planting to the rear of the proposed parking deck with the aim of softening longer distance views and adding to general amenity

of that space. They point out that the function of the landscaping where it abuts residential properties is to provide a high quality setting for the retail park. While there will be a loss of planting along the western boundary adjacent to residential properties, there will be compensatory planting. Similarly Sainsbury's do not accept that the proposals would compromise connectivity to other areas of open space and Green Network and that the planting at this location, where it abuts residential properties is to provide a landscape buffer.

Your officers still believe that the landscaped planting belt running along the western boundary does provide an important landscape and amenity feature and it does form an important interlink to the wider green spaces and Green Network to the north beyond the site. The recommended reason for refusal remains.

Reason Number 4: Impact of parking deck on conditions of visual and residential amenity:

Members are asked to particularly note the position of the proposed car park deck and the alterations to the access road that brings a new enlarged traffic island, a bank of car parking spaces and access road directly adjoining the boundary with residential properties. Sainsbury's now propose a living wall to the deck's southern and western edges comprising a series of potted green screens and climbing plants that will be maintained via an in-built irrigation system. Also, Sainsbury's confirm that the decked car park will be closed to the public 30 minutes after the store closes and lighting reduced.

Despite the addition of living walls planting to the car deck, the design of the structure, its location and loss of planted areas would have a negative impact both on neighbours and the local environment. The loss of the mature landscape buffer makes the situation worse. Accordingly, the recommended reason for refusal remains.

**RECOMMENDATION: REFUSE PLANNING PERMISSION** for the following reasons:

- 1 The Local Planning Authority considers that there is a number of sequentially preferable town centre/edge of centre locations which could accommodate the proposed development. Development in this out of centre location would be contrary to the Spatial Development Strategy for the Borough as set out in the Core Strategy and would seriously undermine the Council's efforts to ensure that the town centre remains at the hub of the service centre hierarchy and the Council's objective of regenerating Telford town centre. The proposal conflicts with Policies CS4 of the adopted Core Strategy, CT2 of the adopted Central Telford Area Action Plan and EC15 of Planning Policy Statement 4.
- 2 The proposal is contrary to Policy OP5 of the adopted Central Telford Area Action Plan and to Policy EC16.1 of Planning Policy Statement 4. In the absence of reasoned justification, the

- proposed development in the opinion of the Local Planning Authority would be likely to have an unacceptable detrimental impact on the vitality, attractiveness and viability of Telford Town Centre and would be likely to establish an undesirable precedent for the further development for retail purposes at out-of-centre locations which would undermine existing and potential investor confidence in Telford Town Centre.
- 3 Part of the site is designated as green space as defined in the adopted Central Telford Area Action Plan. In the opinion of the Local Planning Authority the proposal has failed to recognise the importance of this green space in terms of its function as a landscape and amenity feature and the importance this space provides interlinking to the wider green spaces and green network in the locality. Accordingly, the proposal is contrary to Policies CT20 and CT21 of the adopted Central Telford Area Action Plan and Policy OL3 of the Wrekin Local Plan.
  4. The Local Planning Authority considers that the proposed car parking deck involving the loss of existing landscaping and due to its siting hard up to neighbouring boundaries would result in an overly harsh and incongruous design element in a prominent location when viewed from the approach roads and close to adjoining residential properties causing material harm to the quality of the environment and existing neighbouring uses in the locality, which would be detrimental to visual and residential amenities and thereby contrary to Policies CT10, CT15, CT20 and CT17 of the adopted Central Telford Area Action Plan and Policy UD2 of the Wrekin Local Plan.

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Original Report

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Retail Impact, Town centre Regeneration, Design, Ecology, Geotechnical, highway issues

**PROPOSAL:**

The application seeks full planning permission for the erection of a store extension (Class A1) to the side and front of the existing store at the Forge Retail Park together with alterations to car parking layout, new parking deck, landscaping, relocated recycling facilities and associated plant.

The applicants have submitted the following documents in support of their application:

Planning & Retail Statement – February 2011

Transport Assessment – January 2010 plus Addendum Report dated 19 May 2011.

Phase 1 Desk Study – November 2010

Noise Assessment – November 2010  
Lighting Assessment – November 2010  
SCI – December 2010  
Interim Travel Plan – November 2010  
FRA – 16 November 2010  
Geotechnical & Contamination Assessment – December 2010, additional details of retaining wall and temporary car park  
Foundation Solution – December 2010  
Renewable Energy & Energy Efficiency Assessment – April 2011  
Extended Phase 1 Habitat Survey – March 2011  
Landscape Design Statement – December 2010  
Newt Survey May 2011  
Landscape Appraisal and Tree Survey November 2010  
Design and Access Statement (rev B) April 2011

#### SITE AND SURROUNDINGS:

The site is located at The Forge Retail Park, which along with the neighbouring Bridge Retail park are typical out of town retail parks offering predominantly non-food comparison shopping. The site is accessed via Colliers Way which links Hall Park Way and Junction 5 of the M54. The site comprises 6.9 hectares

The existing store is of steel construction and is extensively glazed with a gently sloping 'upturned' roof giving it an architectural distinction from the remaining units at the Retail Park, which have a uniform appearance. The store was built in 1988 and extends to 6,467 sq m gross floorspace with a net sales area of 3,529 sq m. Although the car park is shared with other units, notionally the spaces apportioned to Sainsbury's comprise 521 customer spaces to the front and side of the building.

The site's boundaries to the north and west comprise Green Network and beyond to the north lie residential areas of Old Park. The nearest dwelling lies adjacent to the application site, with ancillary building adjacent to the boundary. The main dwelling is located approx 85m from the existing store. The property is situated approximately 2.5 m above the ground level of the Retail Park and existing store. The site also comprises an area of green space as designated in Central Telford Area Action Plan (CTAAP). This provides good level of screening from adjoining residential areas and helps assimilate the retail park into its surroundings, which as CTAAP notes is a mix of residential, commercial and other uses.

#### THE DETAILS:

The proposal is for an extension and car park deck (to maintain the car parking provision). The extension is to the western side of the store in an area of existing car parking. The extension is a two storey rectangular structure that will incorporate a mezzanine at first floor to provide new restaurant and staff facilities. The extension will run parallel with the existing gable wall and will be clad in matching materials. A new decked car park adjoins the side of the building accommodating 141 spaces, with ramped access from the existing side car park. The deck will be built of lightweight,

light coloured, steel construction with direct access to the first floor café; lifts and stairs will take customers down to the sales floor area. A new canopy will run along the front of the building helping to provide a visual break to the structure and tie the extension in to the existing building. The proposals are of contemporary design.

The proposals involve increasing the gross floor area of the store from 6467 sq m to 9624 sq m. The net floorspace would increase from 3529 sq m to 5,675 sq m – an increase in sales floor area of approximately 61%. Currently comparison goods (non-food) take up 13% of the net sales floorspace (458 sq m). It is proposed to expand the amount of floorspace devoted to comparison shopping to 35% of the total net floorspace (1,986 sq m). Thus the principle aim behind the proposals is to expand the sales primarily for comparison goods.

The unadopted road between the roundabout with Colliers Way and the roundabout directly north of this (within the retail park) will be widened on the egress side (outbound from Retail Park) from one lane approach to the Colliers Way roundabout to a 2-lane approach. This is intended to improve traffic flow from the Retail Park and enable traffic to form two queues on the approach to Colliers Way roundabout, one for left turners towards Hall Park Way, Telford Town Centre and the M54 and one for right turners towards Old Park. The access into the car park is also to be altered in order to facilitate the extension – the access will be extended into the Green Network land, resulting in tree felling and shrub removal. The proposed car park will provide provision for a total of 554 vehicles including 21 parent and child spaces and 33 disabled spaces, an overall increase in parking provision of 6%.

The proposed car deck is located hard up against neighbouring residential properties to the west at Old Park. The surface of the car deck will be some 1900 mm above existing ground levels and incorporate a fencing barrier, giving an overall height of approximately 5 m. The supports to the structure as well as the deck itself will be within 1800 mm of the neighbour's garden boundary and will require removal of the existing trees and landscaping and will require a retaining structure.

#### PLANNING HISTORY:

W95/0959 Outline permission for demolition of existing retail store and redevelopment for food and non food development, leisure, fast food, car parks, alterations to petrol station and associated works – granted February 1997.

W97/0108 – Reserved matters approval - siting and design, external appearance and landscaping for new foodstore, non-food retail units and A3/leisure uses together with associated parking, servicing and pedestrian/cycle routes. – Approved June 1997.

W2010/0029 – Variation of outline condition no. 13 of W95/0969 and Condition 21 of W97/0108 to increase the maximum area of non-food retail to 21,019 sq.m. Approved June 2010.

Adjacent Applications of relevance  
TWC/2011/0151- Unit 12 – Certificate of Lawful Development for the erection of a 199.5 sq.m. mezzanine floor - Granted Approval 2011.

W2010/003 – Unit 10 - Installation of 669sq m mezzanine floorspace for retail sales -Granted Approval May 10.

#### PLANNING POLICY CONTEXT:

National Planning Guidance:

PPS 1 – Planning Policy Statement 1: Delivering Sustainable Development (2005): underlines Government’s commitment to a planning system that creates sustainable development. Particular emphasis placed on the protection and enhancement of the natural and historic environment, and ensuring high quality development through good and inclusive design and efficient use of resources. Development which contributes to the creation of safe, sustainable, mixed use developments, use of previously developed land, building in sustainable locations and those well served by public transport is a key to this approach.

PPS 4 – Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009) and accompanying practice guide on need, impact and the sequential approach.

- Policy EC 10 contains a positive presumption in favour of sustainable economic growth. All applications to be assessed against five impact considerations relating to climate change resilience, accessibility, inclusivity and quality of design, economic and physical regeneration and local employment.
- Policy EC14 – sequential assessment necessary where developments exceed 200 sq m and not in an existing centre or in up-to-date Development Plan. Town Centre impacts must be assessed if development exceeds 2500 sq m.
- Policy EC15 – sequential test requirements in terms of availability, suitability and viability.
- Policy EC16 – sets out impacts applying to unplanned edge/out-of-centre developments (in addition to those required to be assessed under Policy EC10, including impact on existing committed and planned public/private investment in the town centre, vitality and viability and consumer choice, impacts on trade turnover, appropriateness of scale; and, locally defined impacts.
- Policy EC17 – consideration of impacts (positive and negative). Applications should be refused where there is non-compliance with sequential approach or clear evidence of significant impacts. Where impacts are not significantly adverse there is a direction to consider positive and negative impacts and other material considerations.

- Policy EC18 – parking standards (PPG13 should apply where no local standards)
- Policy EC19 – how conditions to be used to mitigate impacts where possible.

#### LDF Core Strategy Policies

CS3 Telford – focus for Borough’s spatial development

CS4 Telford Town Centre

#### Central Telford Area Action Plan DPD policies

CT2 Retail

CT9 Other Highway Network Improvements

CT10 Parking

CT14 Environmentally Sustainable buildings

CT15 Design

CT17 Public Realm

CT20 Landscaping

CT21 Protection of Green Spaces

OP5 Old Park East

#### Wrekin Local Plan ‘saved’ policies

EH7 Contaminated Land

EH8 Remedial Action on Contaminated Land

EH14 Land stability

UD2 Design Criteria

UD3 Urban Design Assessment

### **PLANNING POLICY BACKGROUND**

Telford is identified as a Strategic Town Centre under the adopted Revised RSS 2008 and a Town Centre in the Core Strategy. Policy PA11 of RSS states that the Strategic Town Centres will be the focus for major retail developments and PA13 states that it is not envisaged that “any further large-scale (10,000 sq m plus) out of centre retail developments or extensions to existing developments will be required” during the period to 2021. The policy goes on to say that “Smaller-scale out of centre retail proposals should be considered in the light of policies and proposals in development plans and take full account of Government guidance including the requirement to demonstrate ‘need’ and the sequential test. No out-of-centre developments should be redefined as town centres”. The RSS Panel report to the Phase II Changes gave endorsement to the level of growth of retail development and to the focus on Telford Town Centre.

Joint Shropshire and Telford and Wrekin Structure Plan 1996-2011 represents the strategic planning framework pending replacement by the LDF; it is however dated, but contains “saved” policies that are considered relevant to the consideration of this proposal. The Plan outlines a strategy that seeks to:

- Conserve resources and the environment by reducing reliance on car travel and length of journey, fostering bio-diversity and the conservation of natural resources

- Improve the quality of life by: protecting the natural and cultural assets of the area; improve employment prospects; and tackle levels of deprivation
- Achieve a sustainable environment by careful location of development; improve access and maximise use of previously developed land and existing infrastructure; and
- Foster a prosperous economy, support for the rural economy and encourage inward investment

The saved policy of relevance to this proposal includes:

- Policy 31 Sustainable Transport Strategy

Telford Core Strategy -The Core Strategy Development Plan Document (DPD) was adopted in December 2007 and is the key strategic LDF document that sets out the vision and spatial development strategy for the area and for subsequent DPDs to follow.

Policy CS4 in the adopted Core Strategy states that “Central Telford Area will be the focus for major....retail....development serving the needs of the Borough and the sub-region...”

A commitment was given to producing the Central Telford Area Action Plan (CTAAP) as part of the suite of LDF documents and this has now been adopted following last summer’s hearing. As a precursor and to provide evidence as justification for the Plan, the Council commissioned White Young Green (WYG) to undertake an update of the 2006 Telford and Wrekin Borough Retail and Leisure Study and this was completed in 2009. This Study provides an assessment of future retail needs based on a range of population growth scenarios. The Study uses ONS estimates of population growth resulting in assumed increases of between 20,000-36,500 households between the years 2006 and 2026. The Study identifies a substantial need for both convenience and comparison goods retailing in Telford by 2021. Predictions of retail development capacity scenarios likely to come forward in this period included a need for 35,980 sq m gross comparison (non-food) retail by 2016 and 65,720 sq m gross comparison retail by 2021. In terms of convenience (food) floorspace, the Study identifies a need for an additional 7,875 sq m gross by 2016 and 10,780 sq m gross convenience retail by 2021. It is important to note that these figures do not take account of the recent planning permissions for ASDA (Civic) and at Red Oak (unnamed food operator).

CTAAP now provides the Council with a realistic and importantly, up-to-date spatial development strategy for the future development of Telford Town Centre. Its ambitions seek to change the way that the current town centre operates. Key components of relevance to this proposal include identifying broad locations for some 65,000 sq m of comparison retail floorspace, integrating and linking the physical structure of the town centre and reducing reliance on the motor car. A number of themes have been identified that will provide a vision for the transformation of Central Telford. These themes include creating a centre with a vibrant heart, a distinctive sense of place, a

place for living, a centre with a thriving economy and an accessible and connected centre.

The Council's approach within CTAAP is to propose that the additional retail growth can be met in the primary shopping area (PSA). The PSA was in fact extended as part of the CTAAP proposals which acknowledges that the existing shopping centre could not absorb the predicted retail need. A small area of Southwater was added to accommodate a "subsidiary" element of shopping as part of the regeneration of this area of the Town Centre Core. The Plan therefore identifies the existing shopping area, the majority of West Southwater and Central Southwater collectively as the new Town centre Core and focus for all new retail development. As a result of CTAAP there will be no further retail allocations required up to 2021.

Policy CT2 of CTAAP states that new retail development will be permitted to meet the need in the Town Centre and facilitate its regeneration and should come forward in the form of mixed proposals. Supporting text emphasises that when determining applications for out of centre retail applications, the principles of PPS4, in particular its sequential approach to site selection, will be applied.

The Forge Retail Park comprises part of the Old Park character area, which is described in CTAAP as being a 'fragmented area of isolated and unconnected land uses which are detached from surrounding areas by a number of major roads.' The site is within sub-area OP5 'Old Park East' which comprises the out of town retail parks of The Forge and The Bridge. The overall vision for this character area is to promote new residential and commercial development alongside community-related facilities to meet the needs of local residents. Of some note is a desire within CTAAP to improve transport connections, especially for pedestrians and cyclists, so that connectivity to the town centre is enhanced while at the same time, a more people-friendly living environment is created.

Policy OP5 states that 'The Council will not support future expansion of the Forge Retail Park or the Telford Bridge Retail Park for additional retail or leisure uses.' In effect this new policy direction acknowledges the distance and transport/pedestrian communication difficulties that exist.

Policy CT10 'Parking' states that 'Outside of the Town Centre Character Area, parking provision for non-residential development must not exceed the maximum standards in PPG13. Parking provision should reflect the characteristics of the area in terms of use, density and form, proximity to the centre and facilities, and access to public transport, as well as serving the parking needs of users.

#### CONSULTATION RESPONSES:

##### **Planning Policy Section:**

Recent planning permission was granted to vary condition no.13 of planning application W95/0969 and condition no.21 of planning application W97/0108

to enable an increase in non-food retail floorspace at the Forge Retail Park to 21,019 m<sup>2</sup>. The non-food floorspace has been increased over the years and this has most recently facilitated the provision of a mezzanine within Currys, Unit 10.

The proposal includes an application for the extension of the Sainsbury's store and a s73 to create a new planning permission for the park as a whole. To accommodate the proposal would require both planning applications to be granted.

The key issues are the creation of entirely new floor space on what was originally permitted for the Forge. Key policy concerns relate to the impact of additional retail development in the out of centre location, and are based on national policy (PPS4), the current development plan (including in particular, the Central Telford Area Action Plan), and the White Young Green (WYG) Retail Capacity Study 2009. In line with PPS4 guidance, judgements about the extent and significance of any impacts should be informed by the development plan (where this is up to date), and other published local evidence (such as the WYG retail study) will also be a relevant material consideration.

The White Young Green (WYG) Telford & Wrekin Retail & Leisure Study was updated in May 2009 with a Town Centre Capacity Update. The study identifies the Forge retail park as an out-of-centre location, in line with PPS4 and as it is outside the Town Centre Character Area boundary as defined in the Central Telford Area Action Plan. WYG considered the number of extant planning permissions relating to additional retail development at Telford Forge. The retail parks were deemed almost complete and any additional floor space provided would be minimal.

PPS4 sets out the considerations through the sequential and impact assessments required for a main town centre use not in a centre and not in accordance with an up to date development plan. The retail parks are an out of centre location in the context of PPS4. Whilst land remains available for retail development within and adjacent to the shopping area expansion of the retail parks would not accord with PPS4, and allowing further expansion would have a detrimental impact on an identified centre. The PPS4 relevant policies being EC10, EC14, 15, 16 & 17.

Policy CS4 of the Core Strategy identifies Central Telford for the major retail development serving the needs of the borough and the sub-region, and seeks to consolidate Central Telford and enhance it as the hub of the service centre hierarchy.

The newly adopted Central Telford Area Action Plan is very clear in terms of extensions at the Forge. The retail park is an 'out of centre' facility, and the vision for the Character Area of Old Park does not refer to the provision of additional retail development. Policy OP5 seeks to resist any further development stating that the Council will not support future expansion of the Forge Retail Park for additional retail or leisure uses. There is also a clear

policy directive to accommodate future retail growth in the existing shopping area through Policy SA1.

### **Highways Section:**

The development can be accommodated on the local highway network subject to the physical works proposed in the Transport Assessment and a contribution to CTAAP, subject to the following Conditions (summary):

- d) Before development commences details of the junction improvements to The Forge Roundabout to be submitted and works to be constructed before occupation.
- e) Before development becomes operational the revised internal layout including new internal roads/pedestrian/cycle links and circulating carriageway, car parking (including the permanent decked area), bus stop/shelter and associated infrastructure and recycling centre shall be implemented.
- f) Prior to occupation, details of the Travel Plan for the development shall be approved by the Local Planning Authority and thereafter implemented.

### **Planning Ecology:**

The GCN surveys were undertaken at the correct time of year, in suitable weather conditions and using appropriate methodologies. The pond 84m to the north-west of the site was found to contain a small population of smooth newts but no Great Crested Newts were present. Other ponds within 500m were not surveyed as there were significant barriers between them and the site, e.g. roads and housing.

The report concludes that a band of scrub along the western and northern boundaries of the proposed development site is considered to offer some potential for use by amphibian species including GCN during the terrestrial phase of their annual cycle. The proposed development includes the removal of much of this scrub habitat and as such there is the potential to harm notable amphibians if present.

As recommended in the report, the removal of this scrub should be supervised by a licensed ecologist to avoid committing a criminal offence. A walkover survey will be carried out in June/July to assess the presence/absence of bee orchid on the site. If bee orchids are present then a method statement will be produced to translocate the plants outside the area of works.

Recommend conditions including ecological watching brief requirement, retention of habitat features (buffer of 3 m wide tree/scrub area and provision of bird boxes).

### **Environmental Policy Officer:**

Overall, there are some positive aspects of the assessment, for example the extension is being built to BREEAM 'Very Good' standard. However, the following issues have been raised that need to be clarified:

- Section 6. Consideration of Available Technologies  
Does not include Feed-In Tariffs (FITs) or the Renewable Heat Incentive (RHI) to enable this to be a comprehensive assessment.
- Executive Summary, para 5, ' *The anticipated annual energy consumption for the extended store is 3,627,696 kWh per annum which is 132, 037 kWh per annum less than the existing store and represents a 3.5% reduction in energy consumption.*'

The Officer is unsure as to how this has been derived; more information needs to be provided.

- Disagree with the use of 'Air Source Heat Pumps for the Customer Restaurant and Back of House Offices'. Evaporative Cooling or something similar would be deemed more suitable.
- 'Inverter drives to Sales Area AHU's' – where is the heat recovery?
- Considering the large expanse of flat roof consideration should be given to the installation of a biodiverse roof.

#### **Engineering services:**

No objection subject to conditions : Treatment of mineshafts, drill/grouting of high wall, installation of gas protection measures, early warning, movement detector system necessary for temporary car deck whilst building operations taking place.

**Drainage:** The site conditions do not allow the use of conventional below ground attenuation features to achieve the required 30% betterment in surface water runoff rates. For this reason there is no objection in principle to the use of a rainwater harvesting system serving the entire building. This is subject to the provision of calculations to show that this system is capable of reducing the surface water discharge rate by the maximum achievable volume. This information should also include a revised plan showing the final drainage layout of the site.

#### **Aboricultural Officer:**

No objections in principle but the provision of mitigation for the loss of 60 trees is wanting. Off-site planting would be very beneficial. Grampian condition would be necessary to secure off-site planting.

#### **Contaminated Land Officer:**

No objection subject to conditions relating to treatment/mitigation of any landfill gas.

#### **Fire Services**

No comments regarding the provision of access for appliances and water supplies. Applicants should give careful consideration to the provision of sprinkler systems in accordance with BS EN 12845:2005.

#### **Police Authority:**

Support

**Archaeologist:**

No objection.

**Third Party and Neighbour Representations:**

Three letters of objection have been received from occupiers of the following properties:

Spring Court House, 1 The Coppice, Old Park  
2 The Coppice, Old Park  
32 Park Lane, Old Park

Basis for objection:

- Access road close to garden boundary resulting in further traffic noise
- Overlooking causing loss of privacy
- Noise from car doors slamming, car alarms etc resulting in noise nuisance
- Noise from late night operation, occasionally 24 hours
- Development creates a two storey car park

An objection has been received on behalf of Telford Trustees (owners of the Telford Shopping Centre) by GL Hearn planning consultants on the following grounds:

- The application site is clearly out of centre
- CTAAP is the relevant planning policy
- CTAAP Policy OP5 does not propose further expansion of The Forge
- Recent evidence suggests that adequate capacity for retail development exists in the town centre
- PPS4 sets out the relevant tests – this application fails the sequential test in particular

A very detailed case is then made in support of the Trustees' objection. Includes arguing that the Trustees are committed to providing additional retail development in the town centre; that the Forge consent originally set a ceiling to retail development; they do not accept applicant's arguments that disaggregation cannot occur (establishing more than one unit to fulfil the operator's requirements for additional floorspace); other sequential sites exist closer to the town centre amounting to a potential 116,466 sq m gross retail floorspace and thus this proposal is contrary to PPS4; the proposals would impact on planned investment in the town centre and therefore contrary to PPS4; would draw trade away from the town centre; town centre impacts inadequately explained/justified.

In support of its proposals, Sainsbury's Head of Town Planning, Transportation and Property Communications make the following points:

- Sainsbury's has been trading successfully at Forge since 1998 and provides employment for 300 people.
- Popular store which needs updating – 81% of respondents to public consultation in favour

- Sainsbury's team has worked with officers to provide comprehensive application and efficient feedback to consultee responses
- Disappointed that officers have failed to provide feedback on retail submissions – our submission is not seriously flawed but comply with PPS4 tests

### **SECTION 106 Contributions:**

In the event of this Plans Board supporting the application, there will be a requirement to enter into a section 106 Obligation with the applicants. As with all strategic applications affecting the local highway network, CTAAP requires developers to contribute to the provision of highway improvement schemes. The level of CTAAP contribution based on the scale of the development has been calculated as £187,959.96. This has been agreed in principle by the Developer. An additional sum of £5,000 will be required for monitoring of the store travel plan. These will need to be secured through S106. A contribution for ongoing Monitoring of conditions and section 106 Obligation of £10,000 will be required.

### **PLANNING CONSIDERATIONS:**

#### **Retail Impact and Planning Policy**

The site is located within an established retail park in an out of centre location. The applicant seeks to address the issue of an expansion of the existing retail use in this location within the terms of a retail assessment. Various documents, information and plans have been submitted in support of the application including a retail assessment, a sequential assessment including potential development sites giving an overall view of need, including available expenditure and catchment areas, appropriateness of scale, location of sites, impact on existing centres and accessibility relating to the proposal.

The main cornerstone of Planning Policy Statement 4 is that in order to deliver the Government's objective of promoting vital and viable town centres, development should be focussed in existing centres in order to strengthen and where appropriate, regenerate them. The applicants have placed some reliance on the proposed development satisfying National Planning Policy Statement 4 (PPS4) and this is discussed further below. However the Council has an up-to-date Development Plan Document, CTAAP, which post-dates PPS4. Policy CT2 of CTAAP establishes the retail capacity for the period to 2016 with 50,000 sq m (gross) coming forward within the existing shopping area part of the Primary Shopping Area (PSA) with approximately 15,000 sq m within part of the PSA at Southwater. Policy OP5 is specific. It states that the Council will not support the future expansion of the Forge and Bridge Retail Parks.

The starting point for consideration of this application must therefore be the latest Development Plan policy, which as mentioned above, post-dates PPS4 and has to be considered to be PPS4 compliant in all respects, having been "tested" so very recently. Indeed the Inspector in his report states that the

retail park is “separated from the existing PSA at its nearest point... by about 300m of other, non-retail uses and a considerable distance in level.” (paragraph 121). He concluded in response to representatives of the Forge Retail Park, that there is no need to seek further land to accommodate comparison retail expenditure growth, and the owners’ representations were rejected (paragraph 122). The Forge and Bridge Retail Parks are now clearly defined as ‘out-of-centre’ and CTAAP is clear that ‘retail development in out-of-centre locations will be resisted, as such growth would undermine the vitality and viability of Telford Town centre’ and ‘whilst land remains available for retail development within and adjacent to the Shopping Area expansion of these retail parks would also not accord with PPS4.’ (CTAAP paragraphs 4.2.19 and 3.3.25). The Inspector’s report recognised that Policy OP5 will not support future expansion of the retail park, and “no amendment is proposed to this policy” (Inspector’s report paragraph 85).

PPS4 is relevant in so far as it represents Government’s policy approach in relation to the protection of town centres. CTAAP acknowledges that PPS4, in particular, the sequential approach to site selection should be used when determining out-of-centre applications. PPS4 sets out two key tests that such developments must meet in order for them to be considered acceptable.

They are:

- To demonstrate that there are no sequentially preferable sites either in the town centre or edge of centre or edge of centre locations.
- To demonstrate that proposals will not have any significant impact on the vitality or viability of the town centre.

In considering these two tests, PPS4 indicates that it is for the local planning authority to determine what constitutes ‘acceptable’, ‘adverse’, or ‘significant’ impacts.

PPS4 sets out the requirements for the undertaking of a sequential analysis in Policy EC15. First preference is that developments should be located on sites within the town centre where they are suitable and available. This is then followed by consideration of sites at edge-of-centre and only then, by sites that are out-of-centre. Applicants are required to provide clear evidence as to why sequentially preferable sites are not appropriate for the proposed development based on availability, suitability and viability tests. Part 6 of the Practice Guide expands further on how these tests should be applied. Developers are required to adopt a flexible approach in assessing alternative sites in terms of the scale of their development, the format of their scheme, car parking provision and the scope for disaggregation. Local Authorities should take into account genuine difficulties that can be demonstrated by the applicant in terms of operating the proposed business model by comparison with a sequentially preferable site and furthermore, a single retailer should not be expected to split their proposed development into separate sites if this was deemed to be unreasonable.

The applicants have largely ignored the fact that CTAAP is a fully adopted Development Plan Document and relegated it to the status of an ‘emerging policy’. They have not updated their retail assessment to reflect the Development Plan’s current status. In addition, the applicants have cited a

recent appeal case involving the company at Chesterfield (Sainsbury's Supermarket Ltd v Chesterfield Borough Council (2010)). It is claimed that this is a very similar case which involved a proposal to extend their Chesterfield store. Sainsbury's were confronted by the prospect of having to consider a number of sequentially preferable sites but this would have required the disaggregation of the additional proposed floorspace at one or more of the available sites. The Inspector opined that although there were sequentially preferable sites available, it would have been unreasonable and pointless to insist that the provision should be disaggregated. Further he decided that the existing store would still retain a number of deficiencies and what would result would be another non-food shop elsewhere (although Sainsbury's model does not include stand alone comparison stores, so in reality, there would be little prospect of the additional floorspace requirement going ahead. The applicants in this instance believe that the disaggregation of the proposed additional floorspace would represent an arbitrary sub-division of the development and would not accord with the policy relating to the sequential approach.

This point is worthy of careful consideration. PPS4 Practice Guidance is helpful in considering extensions to existing stores. It advises that:

- There will be instances where a specific need for a certain type and form of development can only realistically be accommodated in specific locations.
- When considering 'location-specific' needs, it cannot be argued that an identified need or requirement is in itself 'location-specific' because, for example, the proposed retailer/developer owns the land in question or is seeking an extension for an existing store.
- If the applicant asserts that the proposal is, by its nature, 'location-specific', and cannot be accommodated in a more central location, or that it is not possible to adopt a flexible approach to accommodate any need/demand more centrally, it will be necessary to clearly justify this position.

It is your officer's opinion that it is not appropriate in this instance to assess whether the proposed extension floorspace could be accommodated on an alternative site but rather that the correct application of the sequential approach in this instance is to assess whether all the combined floorspace required by Sainsbury's (existing and proposed) could be developed in more sequentially preferable locations, rather than looking to disaggregating the proposed format.

#### Sequential Analysis:

Despite claiming that a sequential site selection approach is not really necessary in the context of the proposal at the Forge, the applicants have undertaken a sequential analysis in accordance with Policy EC15 of PPS4 and considered the following sites, all of which would in theory be sequentially preferable:

- Telford Shopping Centre, specifically Red Oak Car Park: There are no suitable sites other than Red Oak Car Park suitable for this proposal. The WYG Study identifies that the Shopping Centre has longer-term

potential but there are no firm proposals, despite the shopping centre's ambitions as expressed in the masterplan 'The Round'. The Council however has assessed that there is capacity for 50,000 sq m of comparison retail within the Character Area SA1 – The Existing Shopping Centre (CTAAP). However, Members will be aware that outline planning permission exists for a new supermarket at the Red Oak car park for a development of between 7,030 sq m and 8,460 sq m. ASDA is likely to vacate to other premises within the town centre, giving a realistic potential for a development such as Sainsbury's proposal to be accommodated at this location. Your officers are not convinced that the Shopping Centre is neither suitable nor viable for the proposal to accommodate either the proposed additional floorspace or a new Sainsbury's store in its entirety.

- Telford Shopping Centre, specifically Ash Grey Car Park – your officers accept that this site is not available, suitable or viable for the proposal – it represents a valuable car park. However the Shopping Centre owners have carried out their own assessment and conclude that this site could accommodate up to 39,348 sq m (gross) retail floorspace although car parking would need to be resolved.
- Town Centre Bus Station – WYG identified that this location could accommodate up to 3,750 sq m (gross) retail floorspace. It is considered that this site could accommodate the extension element of the Sainsbury's application proposals.
- Undeveloped Land in the PSA – a landscaped area comprising 0.6 ha adjoining Lawn central (opposite Darby House). The applicants believe that this site would be discounted as forming a landscape buffer and it was noteworthy that it was excluded from the Red oak development proposal. Its availability furthermore is uncertain. This land has never been "tested" and cannot be discounted in such a random way. Your officers believe that there is some prospect for this land to be used in connection with the Red Oak car park site.
- HCA Offices, Hall Park Way and Matherson House – your officers accept the applicant's arguments that there is little prospect of these sites coming forward in the near future, irrespective of Government's rationalisation of office accommodation within the town centre. They do provide valuable town centre office accommodation and their loss to employment uses may prejudice other economic development policies.
- Lime Green, Blue Willow, Cherry Pink Car Parks – your officers accept that these sites represent valuable town centre car parking facilities and are unlikely to come forward in the short term. Their loss at this stage may affect the viability and vitality of the town centre.
- Severn Gorge PH – Your officers accept the arguments put forward that policies would not support retail activity at this location and that the site is too small.
- Odeon Cinema site: Although the applicants contend that as this site is in active use and therefore unavailable in the short term, CTAAP recognises the potential of the site to consolidate and enhance connectivity between the PSA and the Forge/Bridge Retail Parks. Officers also question whether genuine efforts have really been made

to identify whether this site can realistically come forward within reasonable timescales.

- Southwater – the applicants have included the Civic Offices within their analysis of Southwater; however your officers accept that there is a degree of uncertainty concerning Southwater. This uncertainty could provide further opportunities for retail activity – particularly as the Character Area TC1c Central Southwater now forms part of the PSA within CTAAP. Officers conclude that Southwater has not been properly assessed to reach a conclusion that the site is unavailable or unsuitable. In fact officers believe that the applicants' sequential analysis of Central Southwater is particularly flawed and could easily accommodate the Sainsbury's proposals in its entirety i.e. both existing and proposed floorspace.

The applicants have failed to provide a robust analysis of sequentially preferable sites as noted above. Indeed it has also omitted the area of Central Southwater that is currently occupied by two unattractive buildings and substantial areas of surface parking. Your officers conclude that the sequential assessment undertaken is inadequate in that all in-centre options have not been thoroughly assessed and does not comply with the sequential tests set out in PPS4.

The Impact Assessment:

Following the sequential test, PPS4 requires that the impact of the proposals is considered. PPS4 indicates that proposals should be refused where there is clear evidence that development would lead to significant adverse impacts. Where no significant adverse impacts are identified, planning applications should be assessed taking account of the positive and negative impacts of the proposal and other material planning considerations, and also the likely cumulative effect of recent developments.

Examining impacts, firstly your officers consider that the proposals are unlikely to impact on the growth of comparison goods expenditure in the Town Centre – the applicant's assertions that the comparison turnover of the proposed store can be accommodated several times over in the Town Centre is accepted. It is also accepted that in terms of employment generation (80 additional jobs – both part and full time), this proposal will have a positive effect.

However, PPS4 also requires the impact on existing, committed and planned investment in the centre to be considered (Policy EC16a). CTAAP has obviously been tested against PPS4 and there is a strong prospect that the development will prejudice the Council's ambitions for the regeneration of the Town Centre, which is very dependent on retail-led redevelopment schemes coming forward. The Area Action Plan has identified retail growth scenarios which are focussed entirely on the Town Centre for very good reasons. The Town Centre must remain the hub for comparison goods retailing for it to retain its status as a sub-regional shopping centre. Sainsbury's proposals may assist that store in meeting consumer demand for quality retail offer at that location; however your officers believe this will be at the expense of the Town

Centre and should be resisted. There are currently two sites with the benefit of planning permission within the Town Centre whose implementation could be affected by this proposal. The potential impact on these opportunities arising from further unrestrained out-of-centre competition would also be likely to affect 'spin-off' trade arising from 'linked-trips' shopping to other stores and traders in the town centre.

In addition, PPS4 Policy EC16b, requires the impact of the proposal on town centre vitality, viability, including local consumer choice and the range and quality of the comparison and convenience retail offer to be assessed. The applicants acknowledge that the proposal will draw trade away from the Town centre but because the town trades well, they conclude that the proposal would not have an impact on the viability and vitality of Telford TC. However there is growing evidence, some anecdotal, that the Shopping Centre is seeing more vacancies and short term lets that suggests that the Council's CTAAP policy preventing further development at the Forge and Bridge retail parks is sound. The additional 1,986 sq m of comparison floorspace is not insignificant and will perform much in the way of a standalone comparison unit with its own customer base.

In summary therefore, it is considered that the proposals are in direct conflict with the Development Plan, that they have not been properly assessed against the sequential analysis requirements of PPS4 and that they would have an unacceptable detrimental impact on the viability and vitality of the town centre.

### **Highway and Traffic Impact**

The proposals include for minor improvements to take place to the egress involving the widening of the approach to the Colliers Way roundabout from a single to a 2-lane egress that will aid traffic circulation. The proposals provide for a 6% increase in car parking provision through the provision of a car deck car park. As part of the development, a Travel Plan is proposed, which if approved will require ongoing monitoring. Your highway officers maintain that the existing access arrangements are satisfactory and that subject to the applicants entering into a section 106 covenant for planning contributions towards the provision of strategic highway schemes identified in CTAAP, then support can be give from a highway perspective. In addition, localised enhancement of bus stop facilities and an online grocery delivery scheme are proposed.

### **Design, Scale and Landscaping**

The proposal seeks to amend the site layout in order to provide additional parking facilities, widen access routes and amend islands. These works will result in the loss of existing landscaped areas, which are designated and protected as green spaces within CTAAP. This green space fulfils the function of value in terms of landscape and amenity, whilst also providing a natural buffer to the adjacent residential development to the west of the site. Given the sloped nature of these areas, the proposed development would introduce significant retaining wall structures, with smaller punctuations of landscaped area, which would result in the fragmentation of the existing

strong green corridor of planting in this location which contributes to the overall network of green spaces and green network as identified in planning policy. The proposal does include enhancement planting to the north of the development, but this is not considered sufficient to mitigate the loss of connectivity that the existing protected landscaping provides to green spaces to the south.

It is therefore considered that the proposal negatively impacts on the supply, aims and function of the green space provision in this locality and through the loss of interconnectivity to adjacent green spaces, would undermine the green network and is accordingly contrary to policies CT20 and CT21 of CTAAP and OL3 of the Wrekin Local Plan.

The design of the extension is considered acceptable as it continues the contemporary form and design of the original building and incorporates some energy efficiency measures to ensure that it meets BREEAM Very Good standard. The design and positioning of the decked car park structure however is unreasonable and unacceptable. It will result in an over harsh and dominant feature in a highly prominent location on the approach roads to the site as well as being hard up against the gardens of adjoining residential properties at Old Park. CTAAP requires car parking to be integrated in such a way so that it does not adversely affect the urban form and character of the area. In order to facilitate the car parking requirements overall, the deck will involve the loss of existing landscaping and result in the development appearing contrived.

### **Residential amenity considerations**

Local neighbour objections have been received from three households. Intermittent noise activities particularly from slamming of doors, alarms etc can be a source of noise complaint. However the applicants' noise consultants have assessed the noise that may be generated at the site and with the proposed development, including the deck car park. The conclusions suggest that the car park would have either no impact or slight impact; HGV delivery noise would not exceed background noise levels; building services plant noise can achieve low level emissions – this can be controlled via conditions; recycling facility noise – subject to customers being refrained from using the facility between 23:00 and 07:00, noise limits are achieved for both internal and outdoor domestic environments and sensitive receptors. An update will be provided at the meeting should the Environmental Health Officer have any further comments in the light of neighbour objection.

However, in the view of your officers, the location of the car deck and loss of tree and shrub planting for reasons stated above would have a negative impact both on neighbours and the local environment.

### **CONCLUSIONS:**

The application proposals raise fundamental planning policy considerations in that not only was the original Forge and Bridge Retail Parks the subject of conditions that limited the amount of retail floorspace, but current policy in the form of CTAAP recognises that unrestrained additional retail development at these locations would be likely to have a detrimental impact on the viability,

attractiveness and vitality of the town centre acting as an important sub-regional shopping centre. CTAAP is one of the very latest planning policies to be adopted in England and post-dates the issuing of PPS4, which itself is Government's latest policy guidance. The development proposal fails to meet PPS4 tests on sequential analysis as there are clearly other suitable sites that could cater for the development that are closer to the town centre and PSA. The development moreover is likely to impact on current private and public sector investment in the town centre and therefore undermine confidence in the town centre. Further, the loss of green space to facilitate access arrangements is likely to have a detrimental impact on visual amenity and undermine the purpose of green space designation. Finally, the proposed car parking deck design is unduly prominent and represents a harsh feature in the local scene and will be likely to have a detrimental impact on neighbouring residential properties.

**RECOMMENDATION: REFUSE PLANNING PERMISSION** for the following reasons:

- 1 The Local Planning Authority considers that there is a number of sequentially preferable town centre/edge of centre locations which could accommodate the proposed development. Development in this out of centre location would be contrary to the Spatial Development Strategy for the Borough as set out in the Core Strategy and would seriously undermine the Council's efforts to ensure that the town centre remains at the hub of the service centre hierarchy and the Council's objective of regenerating Telford town centre. The proposal conflicts with Policies CS4 of the adopted Core Strategy, CT2 of the adopted Central Telford Area Action Plan and EC15 of Planning Policy Statement 4.
- 2 The proposal is contrary to Policy OP5 of the adopted Central Telford Area Action Plan and to Policy EC16.1 of Planning Policy Statement 4. In the absence of reasoned justification, the proposed development in the opinion of the Local Planning Authority would be likely to have an unacceptable detrimental impact on the vitality, attractiveness and viability of Telford Town Centre and would be likely to establish an undesirable precedent for the further development for retail purposes at out-of-centre locations which would undermine existing and potential investor confidence in Telford Town Centre.
- 3 Part of the site is designated as green space as defined in the adopted Central Telford Area Action Plan. In the opinion of the Local Planning Authority the proposal has failed to recognise the importance of this green space in terms of its function as a landscape and amenity feature and the importance this space provides interlinking to the wider green spaces and green network in the locality. Accordingly, the proposal is contrary to Policies CT20 and CT21 of the adopted Central Telford Area Action Plan and Policy OL3 of the Wrekin Local Plan.
4. The Local Planning Authority considers that the proposed car parking deck involving the loss of existing landscaping and due to

its siting hard up to neighbouring boundaries would result in an overly harsh and incongruous design element in a prominent location when viewed from the approach roads and close to adjoining residential properties causing material harm to the quality of the environment and existing neighbouring uses in the locality, which would be detrimental to visual and residential amenities and thereby contrary to Policies CT10, CT15, CT20 and CT17 of the adopted Central Telford Area Action Plan and Policy UD2 of the Wrekin Local Plan.

TWC/2011/0376 Granville Lodge, Church Street, St Georges, Telford, Shropshire, TF2 9LX  
Conversion of existing Coach House into 1no. dwelling \*\*\*\*\* Amended plans received\*\*\*\*\*

**APPLICANT**

, Heather Nicholls

**RECEIVED**

15/08/2011

**PARISH**

St. Georges and Priorslee

**WARD**

Priorslee

CLLR IAN FLETCHER HAS REQUESTED THAT THE APPLICATION IS DETERMINED BY THE MEMBERS OF PLANS BOARD.

OBJECTIONS RECEIVED: Yes

**MAIN ISSUES:**

Principle of residential development, residential amenity, impact upon the character and appearance of the area, highway safety and parking and the TPO'd Beech tree on site.

**THE PROPOSAL:**

This application seeks planning permission for the conversion of the existing Coach House into 1no. dwelling. The application has been amended to include a parking space for the converted unit and the provision of 9 parking spaces for the existing flats in Granville Lodge and bin storage.

**SITE AND SURROUNDINGS:**

The application site comprises an existing single storey brick outbuilding, attached to Granville Cottage and abutting the footpath on Church Street. The outbuilding was originally larger but the western part was demolished and Granville Cottage built. The blank north elevation of the building fronts the street and all the openings are on the south elevation facing into the site. The outbuilding has three garage-type entrances, with blue painted wooden doors, and comprises dark red bricks with dentil eaves detailing and a slate gable roof with a relatively large chimney and louvered ventilation stack. A row of 5 modern flat-roofed garages are located at the south of the application site, with a gravelled drive and parking area between, with vehicular access to east of outbuilding from Church Street. The application site is associated with adjacent Granville Lodge, which is a substantial three-storey building that has been sub-divided into 12 flats. Granville Lodge has lost the majority of its grounds to housing development in the C20<sup>th</sup>. The garages and gravelled area provides parking to the tenants of Granville Lodge.

The application site is located in a predominantly residential area, with traditional properties on Church Street, and modern housing on adjoining Park Close and Lodge Road. A modern social club building is located opposite the application site, with church, public house and sports facilities on Church Street.

#### PLANNING HISTORY:

W2010/0089 Tree works to 2no. trees – Approved.

W2009/0055 Demolition of outbuildings and erection of a two storey building containing 2no. apartments – Withdrawn

A pre-application enquiry was submitted in 2007, regarding the possibility of demolishing existing garage buildings and creating residential development, (house or flats), with parking for adjacent tenants. The Local Planning Authority advised the applicant that the scale of development was too great, and that there were a number of constraints, namely protected trees and character of the area. Furthermore, flats were not deemed to be acceptable, as there would be insufficient space for parking and garden area, as well as providing parking for existing residents of Granville Lodge. However, a new dwelling close to the road with garden to the rear would be more appropriate, or the conversion of the outbuilding adjacent to the highway to a small residential unit.

#### PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 –Delivering Sustainable Development

PPS 3 – Housing

PPS5 – Planning for the Historic Environment

PPG 9 – Biodiversity and Geological Conservation

PPG13 - Transport

Core Strategy DPD

CS1 Homes

CS5 District and Local Centres in Telford

CS9 Accessibility and Social Inclusion

CS12 Natural Environment

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

Wrekin Local Plan 1995 – 2006 (saved policies)

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport

OL11 Woodlands and Trees

#### CONSULTATION RESPONSES:

The St Georges & Priorslee Parish supports the proposal.

The Council's Highway Engineer supports the proposal subject to conditions.

The Council's Drainage Engineer has no objections.

The Council's Environmental Engineer has no adverse comments to make.

The Council's Arborist has no objection subject to conditions.

The Council's Ecologist has no objection and suggests informatives in respect of bats and birds, enhancement planting and the erection of bat, bird and invertebrate boxes.

The Fire Authority asserts that it will be necessary to provide adequate access for emergency fire vehicles at the development, and that there should be access for a pumping appliance to within 45 metres of all points within the dwelling. This issue will be dealt with at the Building Regulations stage of the development.

### Neighbour consultation responses

A site notice and 19 direct neighbour letters have advertised the application;

1 letter of objection has been received from the occupiers of the adjoining property, Granville Cottage. The issues raised are:

- Party wall and potential damage or destruction of their property,
- Church Street is a well populated area with mostly period properties. A number of these are already used as rented accommodation which could have an impact on potential sales of private housing.
- There is no shortage of housing in the immediate area and with a large development ongoing nearby the already excessive volume of traffic could be increased significantly,
- Many homes along here due to their age do not have driveways and so many vehicles have to be parked on the Highway, including Granville Cottage, although the vehicle is housed in a garage situated in Lodge Road when not in use.
- Granville Lodge is situated very close to the local church and also the sports and social club, which is used for many sporting events, social events, and clubs etc, weddings or funerals many people have to park vehicles in Church Street, Park Close and Lodge Road.
- Although there are 2 large car parks they do not always provide sufficient car parking if there is more than one event occurring at any time.
- Hazardous for emergency vehicle.
- Granville Lodge does not provide sufficient parking for current residents or make allowance for future demand, future car owners or associated visitors.
- Limited space to allow manoeuvring of vehicles, and this would be reduced if conversion was to take place.
- The Coach House is currently divided into 3 garages which were until recently used by residents of the Lodge to house their vehicles, until the owner requested that they vacate them, obviously due to her intentions and probably to argue that they were not in use.

- Park Close residents express the same concerns that reduced car parking at Granville Lodge would mean more vehicles being parked at the top of Park Close reducing visibility.
- There are a lot of elderly and also young people that regularly walk along Church Street to access local shops, churches and schools on a daily basis.
- Church Street is also used by a number of light and heavy goods vehicles servicing local businesses, and coaches transporting cricket teams.
- Effects on the natural environment, the trees within the grounds of Granville Lodge carry preservation orders.
- Groundworks to provide the building with essential drainage, water, electricity and possibly gas could cause serious damage to the roots and significantly to the trees themselves.
- Granville Lodge has very little natural light and could this possibly result in future planning permission being sought to alter the appearance of the north elevation.
- Though slightly decayed through age, the buildings that have stood for many years without interference.
- When Granville Cottage was purchased it was detailed as a link detached obviously because of the party wall with the Coach House. If the planning goes through making it a residence this will have an obvious effect on the value of Granville Cottage, resulting in a financial loss if sold.
- It seems unfair that the feelings of people actually living in the area should be put aside for financial gain.

A petition organized by the adjoining neighbour (Granville Cottage) containing 23 signatures has been received the issues raised are:

- The proposed development will spoil the look and feel of the area.
- The proposed development will block out light.
- The proposed development will cause loss of privacy.
- The proposed development will cause car parking issues and congestion.
- The proposed development will increase noise levels.
- The person requesting permission will not live in the property.
- It is for financial gain to the detriment to local residents.
- Advice will be sought of MP.
- General maintenance of Granville Lodge could be improved before new developments are considered.
- Loss of garages.
- The building has been left to go to rack and ruin on purpose.
- Tree roots will be affected by water pipes and electric.
- Not in-keeping with the surrounding area, will spoil the building.
- Existing 'goings on' in Granville Lodge and some Police activity in the early hours.
- The landlord does not always vet potential tenants.
- The area has an open and rural feel to add a modern building will spoil it.

- Noise and destruction from construction traffic.
- Previous applications for the building have been turned down.

A second petition containing 18 signatures of family and friends living in St Georges and Oakengates supporting the adjacent neighbour's opposition to the proposed development has also been received.

Following the receipt of amended drawings in respect of the parking arrangements a second round of consultation was carried out.

One letter of objection to the amended scheme has been received from the owners of the adjoining dwelling. The issues raised are:

- Concerns about parking have been ignored.
- The bins have been moved to a parking space.
- What guarantees are there that future residents will only have one vehicle.
- Residents of Granville Lodge already park on the highway.
- Loss of 3 garages.
- Parking problems.
- Impact on tree roots.
- Advice will be sought from a solicitor.
- Have the right to remain link detached snatched away for financial gain.

Photographs of on-street parking in the locality have also been submitted.

#### PLANNING CONSIDERATIONS:

The Design & Access statement advises that the proposed development;

- Will retain and preserve the character of the coach house.
- Provide a viable re-use of a historic building.
- Supply much need housing.
- Enhance the visual quality of the coach house.

The site is in the built up area of Telford in a highly accessible location within walking distance of a bus stop and amenities and therefore the principle of additional residential development in this area is acceptable and compliant with local adopted policies H6, CS1, CS5 and CS9 and national guidance contained within PPS1 and PPS3.

Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess a proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality.

Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment.

In addition, national guidance contained in PPS1, asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness.

There are no habitable room windows in the gable wall of the adjoining property (Granville Lodge) and therefore there will be no loss of privacy or over-looking. There are no major building works to the external structure of the building and thus there will be no adverse effect upon daylight or sunlight. Issues in respect of sound/noise transfer fall under the remit of Part E of the Building Regulations 2000 (as amended) which require new attached dwellings to achieve a reasonable resistance to sound from adjoining buildings. Moreover, it would be a store and cupboard closest to the adjoining property rather than a habitable room. Accordingly, there will be no significant adverse impact upon the residential amenity of the adjoining dwelling.

There is no meaningful amount of private amenity space provided for the unit, however this is a similar situation to numerous modest one bedroomed units and flats, and future occupants will be aware of the limited facilities. Nevertheless, there is a recreation ground on the opposite side of Church Road and Granville Country Park a little further away, and the amenity and living standards provided by the conversion are acceptable.

Issues in respect of property value or the link-detached nature of the coach house and Granville Cottage are not material planning considerations which could result in the refusal of this application which could then be successfully substantiated at any subsequent appeal. Furthermore, it should be noted that the western half of the coach house was originally demolished to make way for Granville Lodge.

The proposed conversion will bring an attractive albeit tired looking historic building back in to useful occupation and thus will have a positive impact upon the character and appearance of the coach house and the locality. The imposition of a condition will ensure that the doors and windows are acceptable and sympathetic to the building. A formal bin storage area for the existing and proposed units is proposed with soft landscaping to provide screening, which is an improvement to the existing situation. Furthermore, it should be noted that planning permission is not actually required to store the bins anywhere on the site or within the grounds of Granville Lodge. Therefore, the proposal accords with policies UD2, CS14, CS15 and national guidance contained within PPS1 and PPS15.

The existing parking provision could be considered slightly inadequate for the number of units in Granville Lodge and no planning history is available explaining the rationale for the original conversion to 12 units. Nevertheless, the building would probably benefit from an established use as 12 units with 8 parking spaces. The layout and parking arrangements for this application

have been amended and now include 9 on site parking spaces. The make up of this being 5 existing garages, 3 new spaces in front of the converted unit (to replace those garages being lost) and 1 new space to the side of this unit. This has now resulted in a net gain of 1 space on the site over what was provided previously. One new space is considered sufficient for the parking needs of the converted one bed roomed unit.

For this new layout to be workable requires the existing garages to be used rather than vehicles just parking in front of them. If parking in front of them was to continue it would render the 3 new spaces to the rear unusable due to manoeuvrability issues. It is not possible to impose conditions which insist that the existing residents of Granville Lodge park in the garages rather than on the hardstanding area as this would be difficult to enforce, and therefore it will be necessary to rely on the tenants to police the arrangement themselves. The possibility of converting the garages into carports has been discussed with the agent, which would make the garages more attractive for use. The agent supports this suggestion, however has advised that 2 of the tenants need to have a fully locked garage because of expensive tools and equipment stored within the work vehicles they park in the garage. Information has been received advising that these are the only vehicles belonging to these particular tenants and therefore it is considered that the conversion of just the 3 garages to car ports as acceptable.

Representations in respect of parking and highway dangers made by neighbours and residents in the area are noted and this solution is not perfect but consideration must be given to how a Planning Inspector would look at the proposals come a likely appeal following any refusal. The Inspector would make an assessment based on facts and therefore the actual availability of parking within the site. It would be difficult to prove that the garages/car ports would not be used for parking, and that the addition of one new residential unit with an allocated parking space would result in a significant detrimental impact upon this matter. Therefore, on balance the proposal is supported by the Council's Highway Engineer and is deemed compliant with policies UD2 and CS15, PPS1 and PPG13.

There is a large TPO'd Beech tree that is growing adjacent to the main entrance to the site, and depending on the size of the vehicles that will be on site to convert the Coach House may require some form of ground protection such as Eve trak or Ground Guard which will protect the roots, as mature Beech trees do not respond well to ground compaction. Furthermore, the erection of protective fencing positioned to protect the stem of the beech and at the edge of the grass verge adjacent to the Horse Chestnut is also deemed necessary during the building works to ensure that this impressive tree which contributes significantly to the visual amenity of the locality is not adversely affected by the proposed development.

Currently there is an electricity cable running from the Lodge to the Coach House, and further detail is required as to the proposed utilities that will run from and to the Coach House e.g. electricity, gas and foul water as digging will be required and the applicant will need to demonstrate how they intend to

mitigate this whilst protecting the roots of the adjacent TPO'd tree. Therefore, it is considered necessary to impose conditions in this respect to ensure the future of the tree in accordance with policies OL11, CS12 and guidance contained within PPG9.

Accordingly, the Local Planning Authority considers that the proposed conversion of the coach house to a single residential unit with one dedicated parking space is acceptable in principle as it is located in a highly accessible sustainable location. There will be no significant detrimental effect upon the residential amenity of the adjoining property, and the conversion will provide adequate living conditions for any future occupiers of the coach house. The proposed development is sympathetic and will result in a positive impact upon the character and appearance of the building and the locality. Parking provision is acceptable and will not have a detrimental impact upon parking, highway safety or congestion and parking and the future health of the TPO'd Beech tree on site will be further protected during the building works.

Accordingly, the development is considered compliant with policies UD2, H6 and OL11 of the Wrekin Local Plan, policies CS1, CS5, CS9, CS12, CS14 and CS15 of the Core Strategy and national guidance contained within PPS1, PPS 3, PPS5, PPG 9 and PPG13.

**RECOMMENDATION:** to GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 Time limit.
2. B06 Samples of materials.
3. B11 Details of doors and windows.
4. B73 Trees protective fencing and matting.
5. B74 Trees services root protection.
6. C09 Trees materials storage.
7. C14 Landscape implementation soft.
8. C19 Car parking and carports
9. C38 Development in accordance with approved plans.
10. D01 Removal of PD.
11. I23a Bat, bird and invertebrate boxes.
12. I25g Enhancement planting.
13. I25k Bats & birds.
14. I30 Party Wall Act.
15. I32 Fire Authority.
16. I33 Removal of PD.
17. I40 Conditions.
18. I41 Reasons for grant.
20. Racustom Reasons for approval.

**REASON FOR APPROVAL:**

The proposed conversion of the coach house to a single residential unit with one parking space is acceptable in principle as it is located in a highly accessible sustainable location. There will be no significant detrimental effect upon the residential amenity of the adjoining property, and the conversion will provide adequate living conditions for any future occupiers of the coach house. The proposed development is sympathetic and will result in a positive

impact upon the character and appearance of the building and the locality. Parking provision is acceptable and will not have a notable detrimental impact upon parking, highway safety or congestion and parking and the future health of the TPO'd Beech tree on site will be further protected during the building works.

TWC/2011/0472 1-8 Turreff Bungalows, Wrockwardine, Shropshire, TF6 5DF  
Demolition of 8 no. 1 bedroom bungalows and erection of 6 no. 2 bedroom bungalows with new access road and car parking

**APPLICANT**

The Wrekin Housing Trust, Karen Lloyd

**RECEIVED**

07/06/2011

**PARISH**

Wrockwardine

**WARD**

Wrockwardine

OBJECTIONS RECEIVED: Yes

**MAIN ISSUES:**

Erection of additional and replacement dwellings in the rural area, impact on Conservation Area, residential amenity, siting, form and design.

**THE PROPOSAL:**

The application seeks consent for the demolition of the existing 8 x 1 bed single storey bungalows, and the erection of 6 x 2-bedroom bungalows with new access road and vehicular parking. The existing units provide social rented accommodation; the proposal will retain this tenure managed through a Registered Social Landlord

TO BE CONSIDERD IN CONJUNCTION WITH TWC/2011/0473  
CONSERVATION ARE CONSENT FOR THE DEMOLITION OF 8  
DWELLINGS

**SITE AND SURROUNDINGS:**

The proposed site comprises two rows of 3 terraces and a pair of semi detached units arranged in a crescent, overlooking a central area of open space. A circular footpath encompasses this area of open space providing pedestrian only access to the dwellings. No vehicular access to the site or any individual dwelling currently exists.

The bungalows are of traditional red brick construction and tile roof. The principal elevation overlooks the central green and is broken up by render and chimneys across the ridgeline. Main entrances to individual units however are located to the rear, via the individual yard entrances.

The site is level, and no front boundary treatments exists, reinforcing the character of the open green. 1.8m fences act as boundary treatments to the rear yards, some low level planting screens part of these fences outside the site. The ground level ascends at the southern boundary of the site where a private access road is located.

The highway verge is located to the front of the site; within this area, abutting the western boundary a parish notice board, a post box and a litter bin are located. Four trees are also located on this verge which overhangs the site.

The surrounding area is predominantly residential. A bungalow with relatively similar characteristics abuts the northern boundary of the site, fronting The Avenue; a number of windows are located on the side elevation overlooking the site. A two storey detached dwelling is located to the east of the site, accessed by the private drive. This has no street frontage.

On the opposite side of the highway The Old Shop, a Grade II Listed Building is situated. This is a Mid 19<sup>th</sup> Century two storey building, formally the school and school maters house.

To the south of the site are a row of mature Limes Trees, along the highway verge. These are protected by Tree Preservation Orders, framing the approach to the Grade I Listed Church of St Peter to the far north of the development site. A number of other listed buildings are located around the listed church. To the far south of the development site, 4 terrace units are currently under construction following the demolition of a pair of semi detached dwellings.

#### PLANNING HISTORY:

##### Site:

TWC/2011/0473 – Conservation Area Consent for the demolition of 8 x 1bed bungalows, running concurrently to this application.

##### Surrounding area:

W2009/0947 Erection of 4 dwellings following demolition of existing derelict dwellings.

#### PLANNING POLICY CONTEXT:

Telford & Wrekin Core Strategy DPD 2007

CS1 Homes

CS7 Rural Area

CS12 Natural Environment

CS13 Environmental Resources

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

Wrekin Local Plan 1995-2006 (Saved Policies)

UD2 Design Criteria

H10 Scale of Development

H24 Affordable Housing Rural Exceptions Policy

OL11 Woodland & Trees

HE2 Demolition in Conservation Areas

HE3 New Development in Conservation Areas

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS5 Planning for the Historic environment

PPS7 Sustainable development in the rural area

## CONSULTATION RESPONSES:

Wrockwardine Parish Council: Support subject to conditions. Though would not approve clay pantiles for the roof – these are not in keeping with the conservation area. It appears no provision has been made for individual gardens, as this is not a sheltered scheme residents should have their own garden areas.

Drainage: No objection subject to conditions B33 foul and surface water drainage, B41c. Consideration should also be made to the ownership of any SUDS system.

Geotechs: No comment

Highways: Originally objected on the grounds of the visibility splay to the entrance, lack of turning head, insufficient in width to meet adoptable standards, footway width insufficient, visibility splays for plots 1 & 2 insufficient, location of parking bay 3 in the middle of the footway causing obstructions. Amended plans have since been received, and a final amendment is sought to overcome concerns over the carport to plot 3, measuring 5m in length and set back slightly to ensure no overhang to the footway.

Built Heritage Conservation: Originally Objected on the grounds of the massing for plots 4 to 6 to be excessive, being a terrace of bungalows which is not a typical arrangement, which is aggravated by the porches and garage extensions. Concerns are also raised with regard to the solar panels that should not be visible in the Conservation Area. Furthermore the removal of trees within the Conservation Area is not sanctioned, being in the opinion that the trees against the roadside are a clear feature of the area, the tone of which is set by the line of Limes along The Avenue. The very name the “Avenue” suggests the presence of trees and in this respect cannot support the application for their removal. However following receipt of amended plans and from the justifications regarding the layout, considers the proposal acceptable subject to a condition to explore other methods of renewable energy rather than the solar panels.

Arboriculture: Original objected on the grounds the driveways for plots 1&2 go through trees within Council ownership and the removal of these trees is not acceptable; The Lime pollard close to plot 6 is also within Council ownership and as such an arboricultural statement is needed as there is construction activity within the root protection area. As this is within the conservation area consent for the removal of trees is required; three trees were removed from site earlier in the year, and a representative from the WHT has been cautioned; 3 replacements are required through condition in addition to a condition for a replacement tree for each further tree lost.

Strategic Housing: Supports the application, recognising the properties as existing are small and in a poor state of repair; the proposed development is more cost effective and beneficial for the residents, meeting the needs of

older / disabled people particularly as 2 bungalows will be built to full wheelchair standard. The proposal meets the criteria of policy H24, as the trust undertook a survey within the past 5 years, identifying the need for bungalows and properties which are adopted for people with disabilities. Furthermore the Strategic Housing unit have recently carried out a parish housing needs survey in Wrockwardine; whilst the results have not been fully analysed, it is clear there is a need for at least 4 rented bungalows some with adaption's, for locals whose need cannot be met by the housing market. It is also clear from some that some households are awaiting the re-building of this site as the only avenue of meeting their housing need. As the other new build scheme in the village provides family accommodation, it is appropriate for this scheme to provide accommodation for the older and/or disabled to create a mixed balanced community meeting a range of needs.

Ecology: No objections subject to informatives

Shropshire Fire Authority: No objection subject to informatives regarding Sprinklers, emergency access, and access to water supply.

Four representations from three neighbouring properties have been received; these raise concerns with regard to:

- Plots 1, 2 and 3 are bulky structures which will significantly reduce light to Meadow view the adjacent property;
- plots 1 and 2 will dominate the frontage causing overshadowing to Meadow View, further effected at different times of the day and by seasons.
- Plot 3 will also cause shadowing to the amenity space and living areas of Meadow View.
- Concern over the orientation for plots 1, 2 and 3. Feeling of being hemmed in; and consider these should be realigned on a parallel grid and create harmony to the overall plan and street scene.
- Consider 40 degree hipped roofs on all the plots would reinforce the character of the area and allowing light to Meadow View;
- Interlocking pantiles are not appropriate for the conservation area, and suggest clay or slate;
- Solar panels will be visible on The Avenue, and an eyesore for the village, failing to enhance the Conservation Area; Consider 'invisible panels'
- Access road is an ugly feature;
- Not convinced there is sufficient parking for the units; reality that people will park on main road, which has large number of farm traffic and fast cars from SATNAV directions.
- Concerned that rubbish, collected fortnightly is stored at front of buildings
- Outlook from existing properties will be degraded.
- Concerns over removal of trees to front of plots 1 & 2 which create a pleasant "boulevard" aspect from both ends of The Avenue, amking the telegraph pole more dominant. Proposal will not be compensated for; neither will the illegally felled trees.

- Retention of trees should be considered to soften any new structure, and appropriately protected through the construction period.
- Issues for foul and surface water drainage as existing in the village; concern over increase in loads
- Consider new WHT properties opposite the site are appropriate within the Conservation Area, however this should also be sympathetic; loss of the green and open space in the village;
- Poor design and materials suburbanising the village rather than enhancing the Conservation Area.
- Concern over demolition and hazardous waste
- Suggestions made to WHT with regards to layout have been ignored
- Concern over additional lighting, suburbanising the site.
- Concern over materials, including window frames.
- Concern over storage of numerous recycling bins

#### PLANNING CONSIDERATIONS:

The application site is located within the designated Conservation Area of Wrockwardine. The proposed application involves the loss of 8 bungalows and as such requires separate conservation area consent. These units have limited architectural merit, and are not of an intrinsic architectural, historic or townscape importance, and its proposed removal will benefit the character of the area, as such the proposed redevelopment of the site is considered acceptable in principle. As required by HE2 of the Wrekin Local Plan, in order to avoid derelict sites, before such consent is granted a detailed planning permission must be in place.

Policy CS7 of the Core Strategy recognises the need to sustain rural communities, by focusing development on a limited number of rural settlements, which include High Ercall, Tibberton and Waters Upton. By focusing housing, employment and service facility development at these centres, a pattern of development should be created that maximises the accessibility of services and facilities to rural resident whilst reducing the need to travel by car and enhancing the local identity and character. The proposal is not located within these settlements.

Saved Policy H24 of the Wrekin Local Plan, is an exceptions policy for small scale affordable housing schemes. This requires applications to be accompanied by a statement which demonstrates how the proposal meets local housing need. This statement must be supported by the findings of Parish Housing Survey. This statement should also address why the dwellings can not be accommodated within a suitable settlement. A Housing Needs Survey was undertaken in Wrockwardine during March 2009; furthermore an additional survey has recently been undertaken by the Council, both of these conclude the need for affordable homes which cater for the elderly / disabled residents. The Housing Enabling Officer is also satisfied that there are no forthcoming sites within the identified suitable settlements which would cater for this need, meeting part a and b of H24. Subsequently

the principle of affordable housing in this location is considered acceptable. The proposal is also less than 8 units, complying with part d of H24.

Whilst the proposal will result in the loss of an area of green space, this land was privately owned and maintained by the Wrekin Housing Trust for the availability of the existing bungalows, furthermore the land was not protected by Green Network policies, or considered as important incidental open spaces, and can therefore be considered for development.

Amendments have been received revising the proposed layout to address the comments made by officers, in particular highways concerns; plots are retained in closely the same form as submitted, with two fronting The Avenue, a row of terraces side on to the Avenue, and one detached plot located to the rear of the site. As the proposed road is to be adopted it is necessary to provide a footpath and service strip around the site including the turning head.

The proposed layout is more conventional than the existing layout, each dwelling will provide off road parking, individual front and rear access and private rear amenity areas; being affordable homes provision sheds are also provided. Amenities of adjacent properties are improved by proposed layout; in particular plot 1 is located with a side elevation adjacent to Meadow View. Whilst the comments of the neighbours are noted, taking account of the existing layout, it is considered that the proposed layout will not have a detrimental impact on the adjacent property. Furthermore the proposed layout appropriately respects the amenities of the proposed end user and will not have an adverse impact in terms of light or overlooking.

Whilst the loss of the green space is unfortunate, the site cannot be developed without the loss of this land if modern standards of accommodation are to be provided; furthermore the proposal will reduce the level of accommodation on the site from 8 units to 6. The proposal will also provide a dedicated highways access and parking facilities for the proposed residents, reducing the level of on street parking which is currently required as these facilities do not exist. This access, turning facilities and parking areas are now considered acceptable.

The proposal will remove a number of trees on the northwest boundary of the site with the highway. The Conservation Officer and Arboriculture Officer originally raised concerns with this due to the visual amenity these trees provide for the area, preserving the nature of the Conservation Area, and 'The Avenue' which in itself represents an area of trees. Alternative layouts have considered the vehicle access for plots 1 & 2 are relocated, however no layout would meet the requirement for the end user, being elderly or disabled; subsequently it is considered the removal of these trees whilst regrettable, is acceptable subject to semi mature specimens sited to the front of the dwellings, retaining the character of The Avenue. Highways have not raised any objection to the proposed trees and the new parking spaces. In addition it is noted the applicant removed 3 trees from the site without consent, and as such the proposal will ensure these trees are suitably replaced.

With regard to design, the proposal respects the existing architectural characteristics of the site, replacing single storey buildings with the same nature of development. The proposed gable roof is considered acceptable preserving the reinforcing the nature of the replaced buildings and adjacent properties, with similar ridge line, eave height depth and angle. The Conservation Officer originally raised concern with regard to the terrace of three, this has since been amended to include a step, breaking the ridge line and front elevation, and is now considered acceptable. The proposed pantiles are not acceptable for a Conservation area, and as such can be controlled through condition. Furthermore it is considered the solar panels to the front of the dwellings, visible from The Avenue is not acceptable. The applicant argues the need for renewable in order to obtain Code for Sustainable Homes Level 3, however no alternatives have been considered; as such it is considered further investigation is required to consider alternative methods, again this can be controlled through condition.

The Councils Drainage Engineers and Environmental Engineers have raised no objections with regard to the proposal and is therefore considered the site can be suitably drained and there are no underlying ground constraints. In addition no evidence of bats or birds were found internally or externally and as such the development will not have a detrimental impact on wildlife. The proposal is therefore consistent with policy H24 part c as the development will not have an adverse impact on the character and setting of the village, nor have any overriding environmental problems, and the access and services are satisfactory.

In accordance with part f of H24, the properties should remain affordable to meet local needs in perpetuity; as such a S106 agreement is required. As the scheme is less than 10 units, contributions towards off site play facilities and education are not required.

In conclusion it is considered that the proposed demolition of 8 dwellings is acceptable as these have limited architectural merit, and suitable scheme is proposed. The proposed redevelopment of the site will provide affordable housing to meet local need, retained in perpetuity through a legal agreement. The proposal will not have a detrimental impact on adjacent residential amenities or those of the proposed users. The proposal will not adversely effect highway safety and provide appropriate of street parking. Furthermore the proposal will not adversely effect protected trees, and ensure suitable replacements are provided. Consequently it is considered that the proposed development complies with Wrekin Local Plan saved policies, in particular H24, the adopted Core Strategy, and other policies contained in national guidance.

**RECOMMENDATION:** Subject to the applicant entering into a S106 agreement to provide 100% affordable housing, then grant delegated authority to the Head of Housing & Planning to GRANT PLANNING Permission subject to the following conditions:

1. A4 Full planning

2. B06 Samples of materials
3. B07 Brick Panel
4. B11 Details of windows and doors
5. B13 Details of enclosure
6. B14 Landscape design, to include replacement trees
7. B23 On site construction
8. B24 Mud on road
9. B50 Foul and Surface water
10. B65 Soakaway test
11. B61 Details of works
12. B73 Tree protective fencing
13. B75 Trees no dig method
14. B76 Tree replacements – 7 semi mature species
15. B Non standard – details of renewables
16. C38 Development in accordance with deposited plans
17. D01 Removal of permitted development rights
  - Ecology informatives
  - Fire informatives

**REASON FOR APPROVAL:**

The proposed demolition of 8 dwellings is acceptable as these have limited architectural merit, and a suitable replacement scheme is proposed. The proposed redevelopment of the site will provide affordable housing to meet local need, retained in perpetuity through a legal agreement. The proposal will not have a detrimental impact on adjacent residential amenities or those of the proposed users. The proposal will not adversely effect highway safety and provide appropriate of street parking. Furthermore the proposal will not adversely effect protected trees, and ensure suitable replacements are provided.

TWC/2011/0473 1-8 Turreff Bungalows, Wrockwardine, Shropshire, TF6 5DF  
Demolition of 8 no. 1 bedroom bungalows (Conservation Area Consent)

**APPLICANT**

The Wrekin Housing Trust, Karen Lloyd

**RECEIVED**

07/06/2011

**PARISH**

Wrockwardine

**WARD**

Wrockwardine

OBJECTIONS RECEIVED: Yes

**MAIN ISSUES:**

Impact on Conservation Area, Loss of residential units in rural area

**THE PROPOSAL:**

The application seeks Conservation Area Consent for the demolition of the existing 8 x 1 bed single storey bungalows

**SITE AND SURROUNDINGS:**

The proposed site comprises two rows of 3 terraces and a pair of semi detached units arranged in a crescent, overlooking a central area of open space. A circular footpath encompasses this area of open space providing pedestrian only access to the dwellings. No vehicular access to the site or any individual dwelling currently exists.

The bungalows are of traditional red brick construction and tile roof. The principal elevation overlooks the central green and is broken up by render and chimneys across the ridgeline. Main entrances to individual units however are located to the rear, via the individual yard entrances.

The site is level, and no front boundary treatments exist, reinforcing the character of the open green. 1.8m fences act as boundary treatments to the rear yards, some low level planting screens part of these fences outside the site. The ground level ascends at the southern boundary of the site where a private access road is located.

The highway verge is located to the front of the site; within this area, abutting the western boundary a parish notice board, a post box and a litter bin are located. Four trees are also located on this verge which overhangs the site.

The surrounding area is predominantly residential. A bungalow with relatively similar characteristics abuts the northern boundary of the site, fronting The Avenue; a number of windows are located on the side elevation overlooking the site. A two storey detached dwelling is located to the east of the site, accessed by the private drive. This has no street frontage.

On the opposite side of the highway The Old Shop, a Grade II Listed Building is situated. This is a Mid 19<sup>th</sup> Century two storey building, formally the school and school maters house.

To the south of the site are a row of mature Limes Trees, along the highway verge. These are protected by Tree Preservation Orders, framing the approach to the Grade I Listed Church of St Peter to the far north of the development site. A number of other listed buildings are located around the listed church. To the far south of the development site, 4 terrace units are currently under construction following the demolition of a pair of semi detached dwellings.

#### PLANNING HISTORY:

##### Site:

TWC/2011/0472 – Full planning for the demolition of 8 x 1bed bungalows and erection of 6 bungalows, running concurrently to this application.

##### Surrounding area:

W2009/0947 Erection of 4 dwellings following demolition of existing derelict dwellings.

#### PLANNING POLICY CONTEXT:

Telford & Wrekin Core Strategy DPD 2007

CS14 Cultural, Historic and Built Environment

Wrekin Local Plan 1995-2006 (Saved Policies)

HE2 Demolition in Conservation Areas

National Planning Guidance

PPS5 Planning for the Historic environment

#### CONSULTATION RESPONSES:

Wrockwardine Parish Council: Support subject to conditions. Though would not approve clay pantiles for the roof – these are not in keeping with the conservation area. It appears no provision has been made for individual gardens, as this is not a sheltered scheme residents should have their own garden areas.

Built Heritage Conservation: Originally Objected on the grounds of the massing for plots 4 to 6 to be excessive, being a terrace of bungalows which is not a typical arrangement, which is aggravated by the porches and garage extensions. Concerns are also raised with regard to the solar panels that should not be visible in the Conservation Area. Furthermore the removal of trees within the Conservation Area is not sanctioned, being in the opinion that the trees against the roadside are a clear feature of the area, the tone of which is set by the line of Limes along The Avenue. The very name the “Avenue” suggests the presence of trees and in this respect cannot support the application for their removal. However following receipt of amended plans and from the justifications regarding the layout, considers the proposal acceptable subject to a condition to explore other methods of renewable energy rather than the solar panels.

Four representations from three neighbouring properties have been received; these raise concerns with regard to:

- Plots 1, 2 and 3 are bulky structures which will significantly reduce light to Meadow view the adjacent property;
- plots 1 and 2 will dominate the frontage causing overshadowing to Meadow View, further effected at different times of the day and by seasons.
- Plot 3 will also cause shadowing to the amenity space and living areas of Meadow View.
- Concern over the orientation for plots 1, 2 and 3. Feeling of being hemmed in; and consider these should be realigned on a parallel grid and create harmony to the overall plan and street scene.
- Consider 40 degree hipped roofs on all the plots would reinforce the character of the area and allowing light to Meadow View;
- Interlocking pantiles are not appropriate for the conservation area, and suggest clay or slate;
- Solar panels will be visible on The Avenue, and an eyesore for the village, failing to enhance the Conservation Area; Consider 'invisible panels'
- Access road is an ugly feature;
- Not convinced there is sufficient parking for the units; reality that people will park on main road, which has large number of farm traffic and fast cars from SATNAV directions.
- Concerned that rubbish, collected fortnightly is stored at front of buildings
- Outlook from existing properties will be degraded.
- Concerns over removal of trees to front of plots 1 & 2 which create a pleasant "boulevard" aspect from both ends of The Avenue, amking the telegraph pole more dominant. Proposal will not be compensated for; neither will the illegally felled trees.
- Retention of trees should be considered to soften any new structure, and appropriately protected through the construction period.
- Issues for foul and surface water drainage as existing in the village; concern over increase in loads
- Consider new WHT properties opposite the site are appropriate within the Conservation Area, however this should also be sympathetic; Ipss of the green and open space in the village;
- Poor design and materials suburbanising the village rather than enhancing the Conservation Area.
- Concern over demolition and hazardous waste
- Suggestions made to WHT with regards to layout have been ignored
- Concern over additional lighting, suburbanising the site.
- Concern over materials, including window frames.
- Concern over storage of numerous recycling bins

PLANNING CONSIDERATIONS:

Policy CS14 sets out the Councils objectives for development involving Conservation Areas. This states the aim of the policy is to protect and enhance the Boroughs existing unique build and cultural assets and to deliver new development to support a rich cultural fabric. This includes protecting and enhancing the historic environment, cultural and built heritage to maintain and improve quality of life.

Further guidance is found under saved policy HE2, Demolition in Conservation Areas. This states that those buildings, structures and features which contribute positively to the character and appearance of the Conservation Area will not be permitted. It also states that demolition will only be acceptable where it can be demonstrated that the character or appearance of the Conservation Area will not be adversely affected and where one or more of the following apply:

- a. It is proven to the satisfaction of the Council that the building is totally beyond economic repair and no alternative use.
- b. It is not of intrinsic architectural, historic townscape importance of that it currently detracts from the character of the area and consequently its removal would enhance the character or appearance of the area.
- c. In order to avoid derelict sites and voids, before consent for demolition is granted detailed planning permission must also have been granted for the redevelopment of the site. There must be firm evidence that a contract has been let for the development, or where appropriate a landscape improvement scheme has been produced for the site, which will enhance and reinforce the townscape qualities of the site and a contract has been left for its implementation.

The application site is located within the designated Conservation Area of Wrockwardine. The proposed application involves the loss of 8 bungalows. These units have limited architectural merit, and are not of an intrinsic architectural, historic or townscape importance, and its proposed removal will benefit the character of the area, as such the proposed redevelopment of the site is considered acceptable in principle. As required by HE2 of the Wrekin Local Plan, in order to avoid derelict sites, before such consent is granted a detailed planning permission must be in place. It is therefore considered subject to the approval of TWC/2011/0472 for the demolition of 8 dwellings, and erection of 6 bungalows, the proposal complies with point b and c of HE2 of the Wrekin Local Plan and the principles within policy CS14 of the Core Strategy.

With regard to the issues raised by neighbouring properties these issues relate to the full planning consent being considered alongside this application.

Consequently the proposal is recommended for approval subject to conditions

**RECOMMENDATION:** to grant CONSERVATION AREA CONSENT subject to the following conditions:-

- 1 A05 Conservation area consent
- 2 C38 Development in accordance with deposited plans

**REASON FOR APPROVAL:**

The proposed demolition of 8 dwellings is acceptable as these have limited architectural merit, and a suitable replacement scheme is proposed. The proposal will not have an adverse impact on adjacent residential properties.

TWC/2011/0546 57 Park Street, Madeley, Telford, Shropshire, TF7 5LD  
Material minor amendment to W2009/0385 for Erection of 2no. two bed  
apartments, which includes repositioning of building, alterations to roof,  
windows and addition of hardstanding (Amended plans received)

**APPLICANT**

G&S Developments Ltd,

**RECEIVED**

30/06/2011

**PARISH**

Madeley

**WARD**

Madeley

This application was deferred at 24<sup>th</sup> August 2011 Plans Board to enable  
Members to undertake a site visit.

**COUNCILLOR WATLING HAS REQUESTED THAT THIS APPLICATION IS  
CONSIDERED BY MEMBERS AT PLANS BOARD**

**OBJECTIONS RECEIVED:** Yes

**MAIN ISSUES:** Principle of development, Development as built compared to  
W2009/0385 approved plans, Scale and design, Character and appearance,  
Parking provision, Impact on adjoining residential amenity

**THE PROPOSAL:** The application seeks a minor material amendment to  
W2009/0385 for the erection of 2no. two bed apartments. Planning  
permission was granted in 2009 and the apartments have been built.  
However the development has not been constructed in accordance with the  
approved plans. This application has been submitted to regularise the  
situation.

The main differences between the approved plans and the development as  
built are:

- The building has been repositioned by approx. 1m to the east
- The roof has been altered from a hipped design to two gables with  
a lower ridge height
- Some of the windows have been repositioned and the door on the  
west elevation has been repositioned
- The window and door design has altered from a multipane art deco  
style to uniform modern casements with brick header and cill  
details
- The oriel window on east elevation and windows on north elevation  
have been omitted
- Canopy area has been reduced over door entrance on south  
elevation
- Internal layout has been altered
- Pedestrian access to side comprises steps, not a ramp

As the plans initially submitted with this application still did not fully match  
what had been constructed on site, officers requested amended plans to  
indicate the correct size of windows and door design, and to demonstrate the

parking spaces are useable following the repositioning of the building. Following submission of these amendments, officers have re-consulted the statutory consultees and local residents.

#### SITE AND SURROUNDINGS:

The application site is a rectangular shaped plot. The site was formerly a vacant piece of land used as car parking. A two-storey building comprising 2 apartments has recently been constructed on site (subject of W2009/0385). The building is not built in accordance with the approved plans and comprises a number of differences, such as the building's position, the roof design, position and size of windows and doors.

The building is constructed in red brick with contrasting brick detail to windows and doors, with tiled gable roof. The windows and doors are white upvc. The windows are uniform size and are all two lights wide. There are no windows on the rear (north) elevation and one obscure glazed window on the west elevation. The majority of openings are on the front (south) elevation and on the east elevation facing the car parking spaces.

The building is bounded by dwarf walls and timber fencing, with ramp access to the ground floor apartment and shared pedestrian access to the first floor apartment and adjoining property, No.57A Park Street via steps and elevated footpath to side.

No.57 Park Street is a traditional gabled property, with vacant shop unit at ground floor. It is an end terraced property on the corner of Bridle Road. The existing property is located approx. 2 metres from the new development. No.56 Park Street is a traditional end-terraced property with dual aspect – principle windows front the highway and drive access to side, and hipped roof. It is at a slightly lower ground level to the application site and is located approx. 13.5 metres from the new development, with the car parking and driveway between. Buildings in the vicinity are a combination of brick and white/cream render two-storey properties. There are both traditional terraced and modern semi-detached properties. Opposite the application site is a car parking area and garaging to adjoining properties, with cricket ground beyond.

The site is located within an established predominantly residential area. There are also a number of shops and facilities on Park Street including Public House, convenience store, veterinary surgery, hair salon and cricket ground. Park Street is on the edge of Madeley District Centre.

#### PLANNING HISTORY:

W2005/0955 Erection of 2no. Residential Flats over Car Parking Area, Full refused

W2005/1420 Erection of 1no. Residential Flat over Car Parking Area, Full granted

W2009/0042 Erection of Building to Contain 2no. Two Bed Apartments, Full refused

W2009/0385 Erection of 2no. two bed apartments, Full granted

**PLANNING POLICY CONTEXT:**

National Planning Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing

Saved Wrekin Local Plan Policies  
UD2 Design Criteria  
H6 Windfall Sites in Telford and Newport

LDF Core Strategy  
CS1 Homes  
CS5 District and Local Centres  
CS15 Urban Design

**CONSULTATION RESPONSES:**

Madeley Parish Council: Objects to the application and makes the following comments:

- Questions validity of this application in particular the use of retrospective action based on alteration to roof design to legalise breaches of planning permission conditions relating to application W2009/0385
- The development has not been carried out in accordance with approved details to ensure that the external appearance of the building is satisfactory (condition 2)
- Confirmation is also required regarding condition 9 (details of foul and surface water drainage, and that any connection to a private system requires a copy of written confirmation from all existing users of the system) has been satisfied
- The statement that there is an “identical footprint, layout, windows & doors” is not correct based on the 2009 approved plans and the drawings submitted with this application
- There is significant change to the footprint of the building within the site which has an impact on access to the first floor apartment and a reduction in the amount of amenity space that allowed for off-road car parking; and a significant change to the appearance of the building because of alteration in style of windows and doors throughout
- Objections raised in relation to W2009/0385 on grounds that the layout and footprint of the building was too great for the site, unacceptable level of general and service amenity for occupants, detrimental impact on neighbouring amenity due to its proximity to boundaries and overlooking, and insufficient off-street parking space in an area known for traffic congestion. These objections are amplified by the scheme drawings accompanying the current application

- The change in roof plan is more acceptable within the street scene since there are nearby examples of cross hipped and gable roof lines
- The Local Planning Authority has approved, in principle, the construction of a building on this site. It is considered that application TWC/2011/0546 should be treated as an application for full planning permission based on new plans.

Highways: Supports the proposal

Geotechs: Support subject to Informatives I17 (Minerals area) and I20 (Contaminated land)

Shropshire Fire Service: no comment

2 neighbour letters have been received and their comments are summarised below:

- Roof is completely different design
- Building has been positioned closer to adjoining property
- The term minor material amendment is misleading
- So many differences between the approved scheme and the development on site, that it is unlikely permission would have been granted
- Principle windows of apartment are facing existing dwelling leading to overlooking
- Parking is an issue in Park Street. Are the 4 parking spaces usable?
- Conditions need to be discharged

Drainage comments are awaited and any further representations will be provided in an update to Members at Plans Board.

#### PLANNING CONSIDERATIONS:

The principle of the development to construct a two-storey building comprising 2no. 2 bedroom apartments in this location has already been agreed by W2009/0385. The 2009 application was considered acceptable as it was in a highly accessible location, the style and design was appropriate and similar to a previously approved scheme. Adequate private amenity space and off street parking was provided and the orientation of the building, separation distances and conditions ensured that there would be no adverse impact on residential amenity.

The development built on site is in a different position and design, although the size of the footprint of the building is as approved, and the layout of development is principally the same.

The roof has been altered significantly from a hipped design to two gables; however the height has been reduced from 8 metres (as previously approved) down to 7 metres, which in turn reduces the impact on the adjoining row of properties on the corner of Park Street and Bridle Road. Although the

building is gabled to the highway with its gable roofs orientated differently to the prevailing streetscene, the introduction of a gable roof design is more characteristic and appropriate to the context of the area compared to the variety of hipped roof elements on the previously approved scheme.

The repositioning of the building on the site by approx 1m to the east has reduced the separation distance between the apartment block and No.56 Park Street to approx. 13.5 metres; however the distance between the apartments and 57/ 57A Park Street has been increased by 1 metre, enabling improved pedestrian access arrangements. Whilst the separation distances are limited; the principle of the development has already been agreed in a similar position, and together with the revisions to the roof design helps to reduce the mass and impact on light and outlook. The number of windows on the east elevation has not increased, and previously approved windows on the north elevation have been omitted. Therefore the amended scheme will not lead to an increase in overlooking or loss of privacy due to the repositioning of the building on site.

Even with the repositioning of the building, the approved tandem parking arrangement of 4 spaces to the east of the site - 2 parking spaces per unit - has been maintained in the same position and the Applicant has demonstrated that despite the repositioning of the building, the parking spaces are still useable. The parking spaces and adjoining driveway at No.56 Park Street will maintain a sufficient distance between the properties, with existing and proposed boundary planting to help maintain privacy. There will be limited amenity space for the apartments; although this was deemed to be acceptable on the 2009 application. It is considered that the proposal accords with Policy H6.

The window and door design has been simplified from the original approval, with the omission of the oriel window on the east elevation and reduction in size of the canopy over the door on the north elevation. The windows are now uniform size and design. There is no definitive character of development in the area, although gable roofs are the predominant form. In terms of windows, the majority of properties have modern replacements – upvc casements. The oriel window on the approved plans is not a feature found on adjoining properties; therefore the simplified window design and use of upvc is acceptable and in keeping with the character and appearance of the adjoining properties. The building now has a more balanced appearance in the streetscene, with fewer competing roof elements.

In response to the Parish Council and neighbour objections, the application for a minor material amendment is an acceptable mechanism to consider the changes made to the development. If the amendments are considered acceptable, the original planning conditions will be imposed, with the main difference being the condition stating which plans the development shall be in accordance with. Whilst there are differences between the approved plans and the development actually built on site, the principle of development and the footprint are acceptable. The design and form have been simplified and in some cases reduced. Pre-commencement conditions have now been

discharged; however confirmation is awaited from the Drainage Engineers that the revised scheme is acceptable. Officers agree with the Parish Council's assertion that the Applicant's statement is incorrect and that the building is not identical to the approved plans; however that is why this application has been submitted. The footprint of the building is unchanged; although its repositioning has led to a slight reduction in the amount of amenity space, but not parking provision. Officers considered the Parish Council's objections to W2009/0385; however the development was considered acceptable and complied with planning policy.

In conclusion, the principle of the development is considered acceptable and has been agreed by the previous grant of planning permission in 2009. The size of the footprint of the development is unchanged and the amendments to the design of the building are acceptable and in keeping with the character and appearance of the streetscene and adjoining properties in the area. The development will not have a detrimental impact on adjoining residential amenities and will provide adequate parking provision and amenity space. Accordingly, the proposal accords with planning policy.

The material minor amendment to W2009/0385 is considered acceptable and the planning permission would be reissued with conditions. Some of the wording will be amended to reflect the changes to the development, for example, windows to be white upvc, obscure glazing to window on west elevation etc.

**RECOMMENDATION:** to GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 Time limit
2. B06 Samples of materials
3. B07 Sample panel
4. B13 Details of enclosure
5. B14 Landscaping design
6. B33 Drainage details
7. C06 Windows white upvc
8. C19 Car parking
9. Ccustom Surfacing of access drive in bound material
10. D08 Obscure glazing of window on west elevation

**REASON FOR APPROVAL:**

The principle of the development is considered acceptable and has been agreed by previous planning permission in 2009. The size of the footprint of the development is unchanged and the amendments to the design of the building are acceptable and in keeping with the character and appearance of the streetscene and adjoining properties in the area. The development will not have a detrimental impact on adjoining residential amenities and will provide adequate parking provision and amenity space.

TWC/2011/0574 189 & 191 Trench Road, Trench, Telford, Shropshire, TF2  
7DU Erection of a two storey rear extension

**APPLICANT**

, Mr Robert Hill

**RECEIVED**

13/07/2011

**PARISH**

Wrockwardine Wood and Trench

**WARD**

Wrockwardine Wood and Trench

WROCKWARDINE WOOD & TRENCH PARISH COUNCIL  
HAVE REQUESTED THIS APPLICATION BE DETERMINED BY PLANS  
BOARD.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Impact on existing residential amenities of neighbouring  
properties and design.

THE PROPOSAL: Erection of a two storey rear extension (retrospective)

This application has been submitted as a result of the two storey extension  
not being built in accordance to the plans submitted with the previously  
approved application ref TWC/2010/0103 having been made 900mm longer.

The original application granted a two storey rear extension projecting 3.5m  
out from the rear of the property and 1.6m away from the neighbouring  
boundary with No.193. However a two storey extension measuring 4.4m long  
has been erected on site and therefore this application is to consider the  
further 900mm projection of extension together with several minor alterations  
such as the installation of French doors to replace a window, and the resizing  
of some of the windows in the rear elevation.

**SITE AND SURROUNDINGS:**

Nos. 189 & 191 Trench Road are a pair of traditional semi-detached villas  
both with a two storey rear 'outrigger' type extension. The dwellings are  
situated fronting Trench Road in a built up area surrounded by predominantly  
residential development, with some retail. Nos.189/191 have, in common with  
the adjoining dwellings, relatively long rear gardens which back onto a local  
recreation ground/amenity area. At the rear of these properties the gardens  
have been developed with various sheds, garages and other domestic  
structures. The lane to the side of No.189 is for the use of both dwellings, and  
provides access to a detached rear garage.

**PLANNING HISTORY:**

TWC/2010/0103 - Erection of a 2 storey rear extension to both properties.  
Full Granted

**PLANNING POLICY CONTEXT:**

National Planning Guidance  
PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies  
Policy UD2 – Design Criteria

LDF Core Strategy  
Policy CS15 – Urban Design

CONSULTATION RESPONSES:

Wrockwardine Wood & Trench Parish Council: Object:

- Extension doubles the size of the property
- Extension overshadows the neighbours' property
- Extension is overbearing

Highways: No Objection

Ecology: Support subject to conditions: Bats & Birds (l25k)

A site notice and 9 direct neighbour letters have publicised this application.

2 Letters of Objection received from No.193 and 'Anfra', Trench Road, Trench, summarised below:

- a) The extension has not been built in accordance to plans submitted in the previously approved application – ref TWC/2010/0103
- b) Loss of privacy to private amenity space
- c) The extension is South facing – loss of sunlight
- d) Overbearing impact – extension is approximately 2m away
- e) Concerned for mature trees along the boundary and the potential damage caused to roots
- f) Devaluation of property – document received from 'HouseSurveyors.com' stating property devalued by £20,000

PLANNING CONSIDERATIONS:

This application has been submitted as a result of the two storey extension not being built in accordance to the plans submitted with the previously approved application ref TWC/2010/0103 having been made 900mm longer. There doesn't seem to be any technical reason to explain why the extension has been built bigger than what was shown on approved plans.

The original application granted a two storey rear extension projecting 3.5m out from the rear of the property and 1.6m away from the neighbouring boundary with No.193. However a two storey extension measuring 4.4m long has been erected on site and therefore this application is to consider the further 900mm projection of extension together with several minor alterations such as the installation of French doors to replace a window, and the resizing of some of the windows in the rear elevation.

The extension is to provide a study room for each property at ground floor level and another bedroom for each property at first floor level. The extension has been built with matching materials, however the windows are yet to be installed and internal works yet to start.

The issues relating to this application include the impact on the neighbouring properties, No.193 and 'Anfra' and whether the extension is overbearing.

Planning permission has already been granted for a sizeable 2 storey rear extension and work has commenced. The main issue is to consider and compare the changes between the original approved scheme and the scheme now under construction.

It is considered that the changes to the granted extension will not have a significantly detrimental further impact on these neighbouring properties. The extension extends a further 900mm, the pitch of the side gable facing No.193 has been reduced which helps lessen any overbearing effect and a larger window has been installed to the side elevation at ground floor measuring 0.85m x 1.7m instead of 1.2m x 1m. Whilst the extension is relatively large, it is considered the further 900mm does not warrant a refusal as there will be no increased overlooking, the extension has not come closer to the boundary and therefore there is no increased overbearing effect and whilst it does project further to the rear, it is considered that any increased loss of light will not be significant.

The rear elevation also differs to what has been built. The sizes of the windows have altered and are now shallower and French doors are proposed to replace the approved ground floor window. The property enjoys a large rear garden which extends some 25m and it is considered that these changes will not have any implications to neighbouring properties or any impact on the existing street scene.

This property is already one of generous size with the approved extension and therefore in its context, the increase of 900mm will not significantly impact on the character of the existing building or of the area and will not be detrimental to neighbouring properties in terms of loss of privacy, loss of light or significant overbearing impact.

Overall it is considered that the proposed amended scheme is acceptable. The further 900mm extension is not overly disproportionate in relation to the existing building. The design and appearance of the extension relates positively to its context in terms of scale, mass, form, proportions, details and materials.

The extended development will not adversely affect the character and appearance of the existing property or the surrounding area. The development would not have a significant detrimental impact on the residential amenities presently enjoyed by the occupants of existing and adjoining development by virtue of any undue overlooking, loss of light or any overbearing effect

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the following conditions :

1. C01 Finishing materials to match
  2. C38 Development in accordance with deposited plans
  3. B11 Details of windows and doors
  4. D08 Obscure glazed windows – first floor bathrooms
  5. D09 No further windows
- I40 Conditions  
I41 Reasons for Grant of Permission

REASON FOR APPROVAL:

It is considered that the proposed development is acceptable. The further 900mm extension is not overly disproportionate in relation to the existing building. The design and appearance of the extension relates positively to its context in terms of scale, mass, form, proportions, details and materials.

The extended development will not adversely affect the character and appearance of the existing property or the surrounding area. The development would not have a significant detrimental impact on the residential amenities presently enjoyed by the occupants of existing and adjoining development by virtue of any undue overlooking, loss of light or any overbearing effect